



## Community Development Department

### BISMARCK PLANNING AND ZONING COMMISSION MEETING AGENDA June 22, 2011

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Tom Baker Meeting Room	5:00 p.m.	City-County Building
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Item No.	Page
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#### MINUTES

1. Consider the approval of the minutes of the May 25, 2011 meeting of the Bismarck Planning and Zoning Commission.

#### REGULAR AGENDA

##### FINAL CONSIDERATION/PUBLIC HEARINGS

The following items are requests for final action and forwarding to the City Commission.

2. **Edgewood Village 5<sup>th</sup> Addition (JT)**
  - a. Zoning Change (R10 and RM15 to R10)..... 1  
*Staff recommendation: approve*      ☐approve    ☐continue    ☐table    ☐deny
  - b. Minor Subdivision Final Plat.....5  
*Staff recommendation: approve*      ☐approve    ☐continue    ☐table    ☐deny
3. **Rock Creek 3<sup>rd</sup> Subdivision (G<sup>2</sup>)**

*Gibbs Township*

  - a. Zoning Change (A and RR to RR)..... 11  
*Staff recommendation: approve*      ☐approve    ☐continue    ☐table    ☐deny
  - b. Final Plat.....15  
*Staff recommendation: approve*      ☐approve    ☐continue    ☐table    ☐deny

**Bismarck-Burleigh County Community Development Department**  
221 North 5th Street • PO Box 5503 • Bismarck, ND 58506-5503 • TDD: 711 • [www.bismarck.org](http://www.bismarck.org)

**4. Copper Ridge 3<sup>rd</sup> Subdivision (Klee)**

*Apple Creek Township*

- a. Zoning Change (A to RR) .....23

*Staff recommendation: approve*      ☐approve    ☐continue    ☐table    ☐deny

- b. Final Plat .....27

*Staff recommendation: approve*      ☐approve    ☐continue    ☐table    ☐deny

- 5. Part of the SE¼ of Section 30, T139N-R80W/Hay Creek Township –  
Zoning Change (R5 & RT to P) (JT).....47**

*Staff recommendation: approve*      ☐approve    ☐continue    ☐table    ☐deny

- 6. Part of Lot 10, Block 1, Registers Commercial Park 1<sup>st</sup> – Special Use Permit  
(Day Care Facility) (JT) .....51**

*Staff recommendation: approve*      ☐approve    ☐continue    ☐table    ☐deny

- 7. SW¼ of SW¼ of Section 16, T139N-R79W/Gibbs Township – Special Use Permit  
(Roadway Maintenance Facility) (Klee) .....57**

*Gibbs Township*

*Staff recommendation: approve*      ☐approve    ☐continue    ☐table    ☐deny

**OTHER BUSINESS**

- 8. Resolution of Appreciation for Jo Conmy**

- 9. Other**

**ADJOURNMENT**

- 10. Adjourn.** The next regular meeting date is scheduled for Wednesday, July 27, 2011.

Enclosure:      Minutes of the May 25, 2011 meeting  
                    Major Building Permits Report for May 2011  
                    Building Permit Activity Report for May 2011

## BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

<b>BACKGROUND:</b>		
<b>Title:</b> Edgewood Village Fifth Addition – Zoning Change (RM15 & R10 to R10)		
<b>Status:</b> Planning Commission – Public Hearing	<b>Date:</b> June 22, 2011	
<b>Owner(s):</b> Edgewood Village 2 <sup>nd</sup> Addition, LLLP	<b>Engineer:</b> Swenson, Hagen & Company	
<b>Reason for Request:</b> The proposed zoning change is in conjunction with a minor plat which subdivides an existing platted lot into 18 new lots; 16 of which would be residential lots, one undevelopable lot and one lot as a private roadway.		
<b>Location:</b> In northeast Bismarck, north of Century Avenue, between Colorado Drive and Nebraska Drive (a replat of Lots 11, 18, 65 and part of Lot 64, Block 1, Edgewood Village Second Addition, in part of the W½ of Section 23, T139N-R80W/Hay Creek Township).		
<b>Project Size:</b> 6.25 acres	<b>Number of Lots:</b> 18 lots in 1 block	
<b>EXISTING CONDITIONS:</b>		
<b>Land Use:</b> Vacant/Undeveloped	<b>PROPOSED CONDITIONS:</b>	
<b>Zoning:</b> RM15 – Residential R10 – Residential	<b>Land Use:</b> Single and two-family residential	
<b>Uses Allowed:</b> RM15 – Multi-family dwellings R10 – Single and two-family residential	<b>Zoning:</b> R10 – Residential	
<b>Uses Allowed:</b> RM15 – Multi-family dwellings R10 – Single and two-family residential	<b>Uses Allowed:</b> R10-Single and two-family residential	
<b>Maximum Density Allowed:</b> RM15 – 15 units per acre R10 – 10 units per acre	<b>Maximum Density Allowed:</b> R10 – 10 units per acre	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> March 2008	<b>Platted:</b> March 2008	<b>Annexed:</b> March 2008
<b>ADDITIONAL INFORMATION:</b>		
<ol style="list-style-type: none"> <li>1. The large lot (Lot 18) along the west side of the property would be combined with Lot 65, Block 2, Edgewood Village Second Addition.</li> <li>2. The design of the subdivision includes the use of a private drive (Lot 17).</li> </ol>		
<b>FINDINGS:</b>		
<ol style="list-style-type: none"> <li>1. The proposed zoning change is consistent with the Land Use Plan which identifies the long range use of this area as urban residential (Bismarck-Mandan Regional Land Use Plan).</li> </ol>		
<i>continued...</i>		

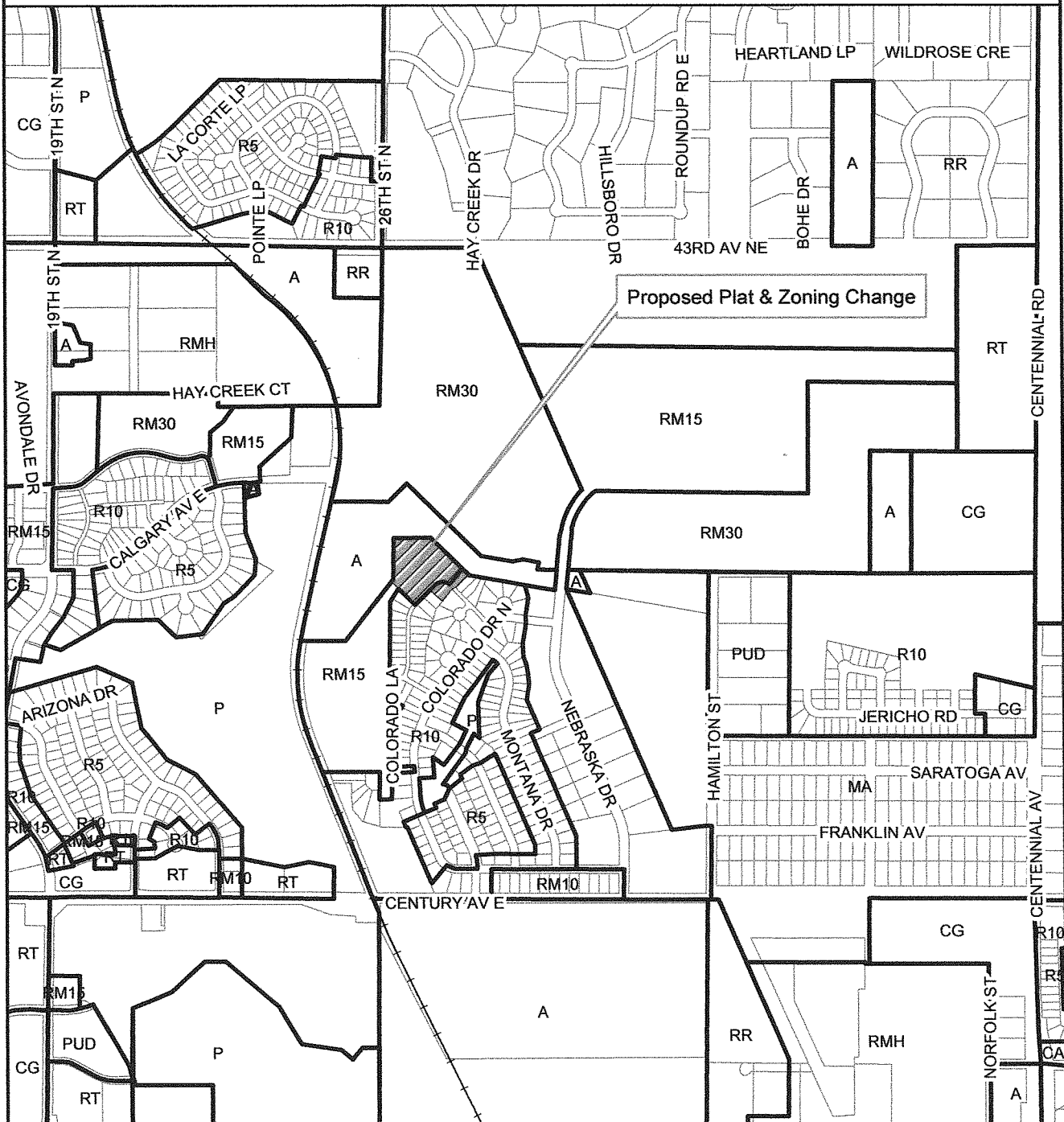
2. The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include developed single, two and multi-family subdivisions to the south, southeast and southwest, Edgewood Village care facility to the west, undeveloped, single, two and multi-family zoning to the north and undeveloped multi-family zoned property to the east.
3. The property is already annexed; therefore the proposed zoning change would not place an undue burden on public services.
4. The proposed zoning change would not adversely affect property in the vicinity.
5. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance.
6. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

Based on the above findings, staff recommends approval for the zoning change for Lots 1-18, Block 1, Edgewood Village Fifth Addition from RM15-Residential and R10-Residential to R10-Residential.



## Proposed Minor Subdivision Plat & Zoning Change (RM & R10 to R10) Edgewood Village Fifth Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated herein.  
Map was Updated/Created: April 27, 2011 (kdg)

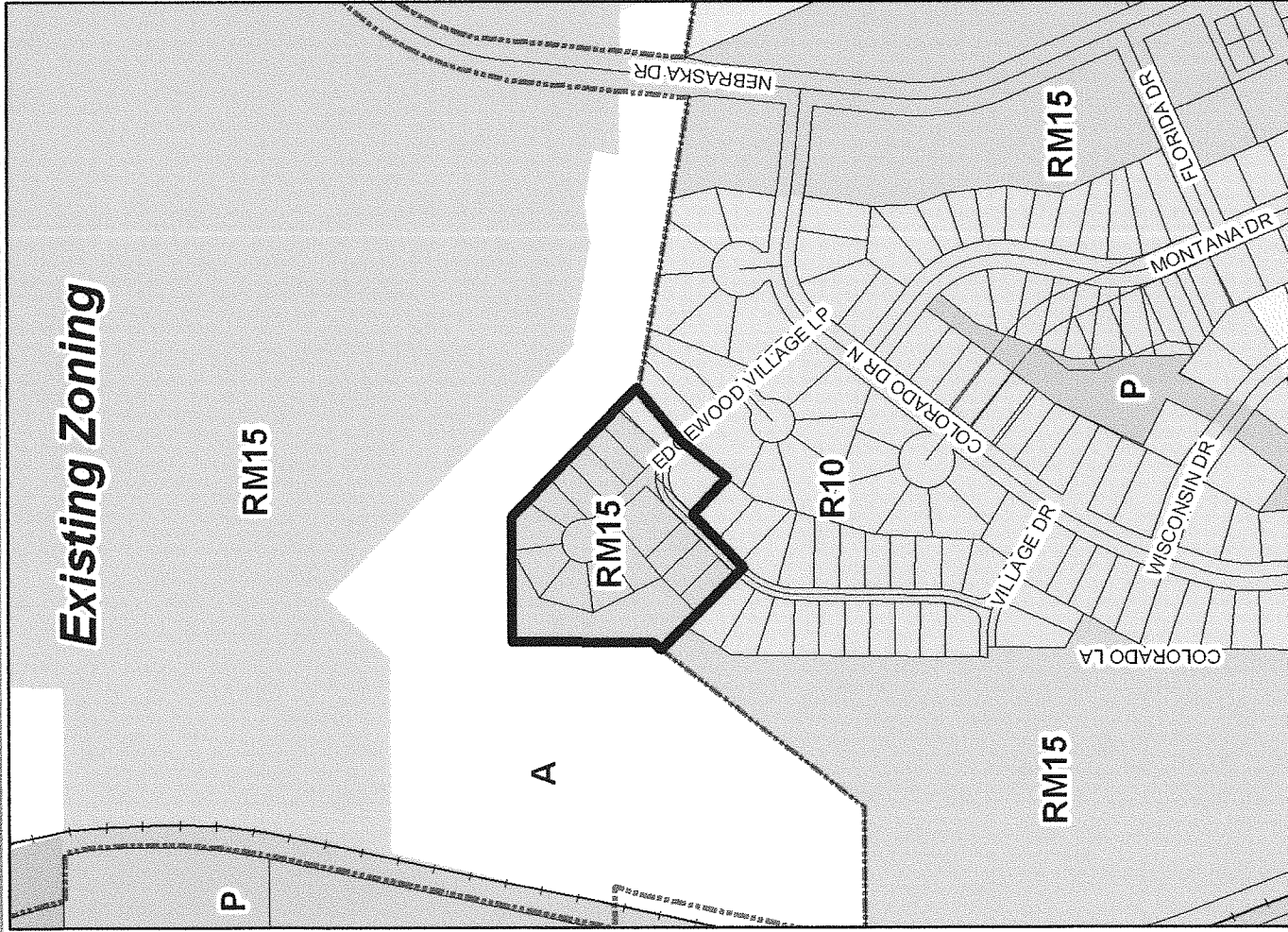
Source: City of Bismarck



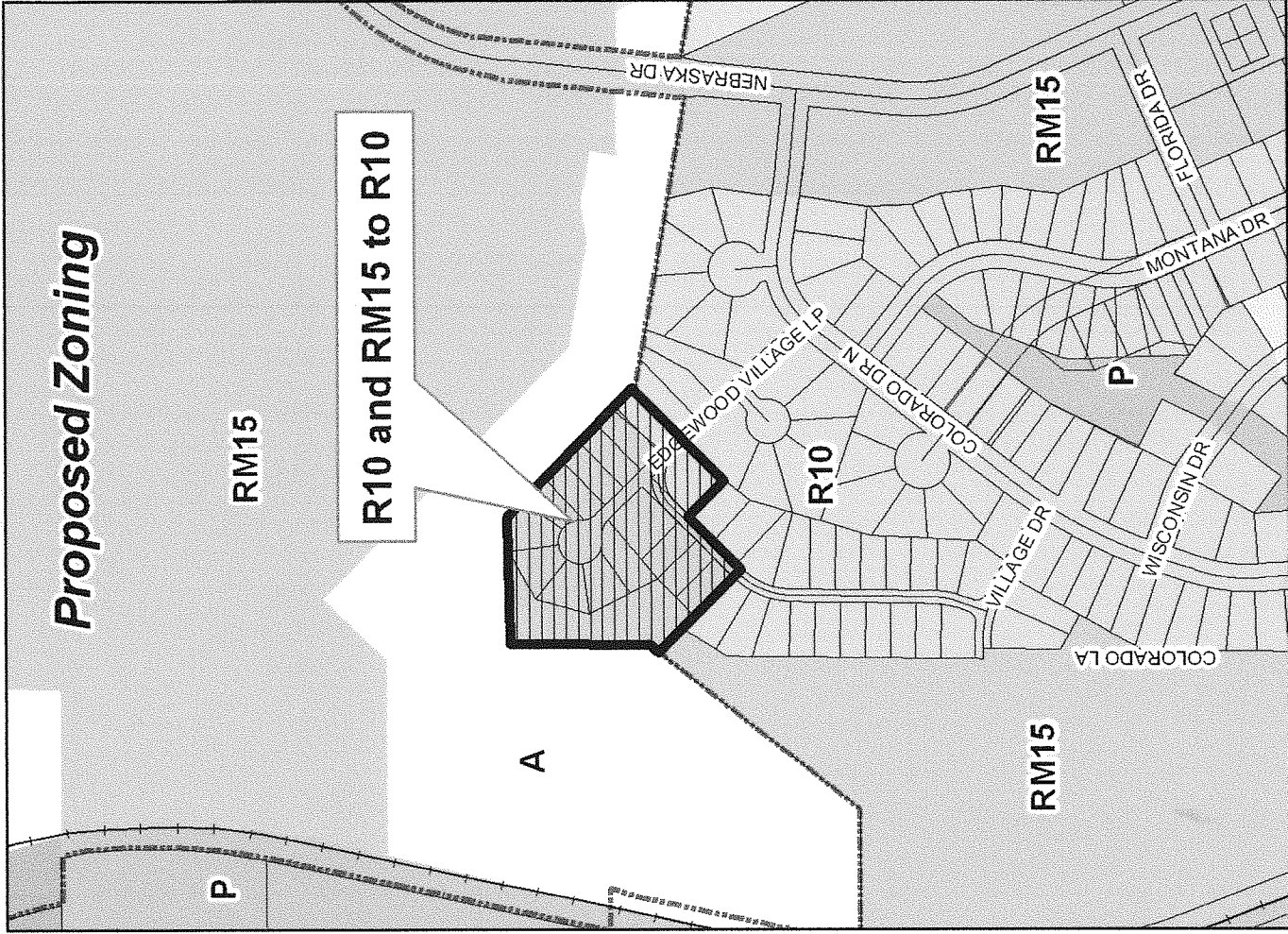
0 875 1,750 Feet

# Edgewood Village Fifth Addition

## Existing Zoning



## Proposed Zoning



May 2011

This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

## BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

<b>BACKGROUND:</b>		
<b>Title:</b> Edgewood Village Fifth Addition – Minor Subdivision Final Plat (a replat of Lots 11 18, 65 and part of 64, Block 1, Edgewood Village Second Subdivision)		
<b>Status:</b> Planning Commission – Public Hearing	<b>Date:</b> June 22, 2011	
<b>Owner(s):</b> Edgewood Village 2 <sup>nd</sup> Addition, LLLP	<b>Engineer:</b> Swenson, Hagen & Company	
<b>Reason for Request:</b> Replat property to create 16 residential lots with access via a private access easement off the adjoining private roadway, Edgewood Village Loop.		
<b>Location:</b> In northeast Bismarck, north of Century Avenue, between Colorado Drive and Nebraska Drive (a replat of Lots 11, 18, 65 and part of Lot 64, Block 1, Edgewood Village Second Addition, in part of the W½ of Section 23, T139N-R80W/Hay Creek Township).		
<b>Project Size:</b> 6.25 acres	<b>Number of Lots:</b> 18 lots in 1 block	
<b>EXISTING CONDITIONS:</b>		
<b>Land Use:</b> Vacant/Undeveloped	<b>PROPOSED CONDITIONS:</b>	
<b>Zoning:</b> RM15 – Residential R10 – Residential	<b>Land Use:</b> Single and two-family residential  <b>Zoning:</b> R10 – Residential	
<b>Uses Allowed:</b> RM15 – Multi-family dwellings R10 – Single and two-family residential	<b>Uses Allowed:</b> R10-Single and two-family residential	
<b>Maximum Density Allowed:</b> RM15 – 15 units per acre R10 – 10 units per acre	<b>Maximum Density Allowed:</b> R10 – 10 units per acre	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> March 2008	<b>Platted:</b> March 2008	<b>Annexed:</b> March 2008
<b>ADDITIONAL INFORMATION:</b>		
<ol style="list-style-type: none"> <li>1. The large lot (Lot 18) along the west side of the property would be combined with Lot 63, Block 1, Edgewood Village Second Addition. Currently Lot 63, Block 1 is owned by a separate entity. The developers of the proposed lot (Lot 18) have stated that the ownership of the new lot would be transferred to the current owners of Lot 63 and combined with their lot so the new lot (Lot 18) would not be landlocked without access.</li> <li>2. The design of the subdivision includes the use of a private drive (Lot 17) with a cul-de-sac. The proposed access and cul-de-sac would be an extension of an existing private roadway; therefore, the use of the cul-de-sac is reasonable as it would not negatively impact City services or maintenance requirements. Written justification for the use of a cul-de-sac is attached.</li> </ol>		
<b>FINDINGS:</b>		
<ol style="list-style-type: none"> <li>1. The proposed plat meets the criteria for a minor subdivision final plat.</li> </ol> <div style="text-align: right;"><i>continued...</i></div>		

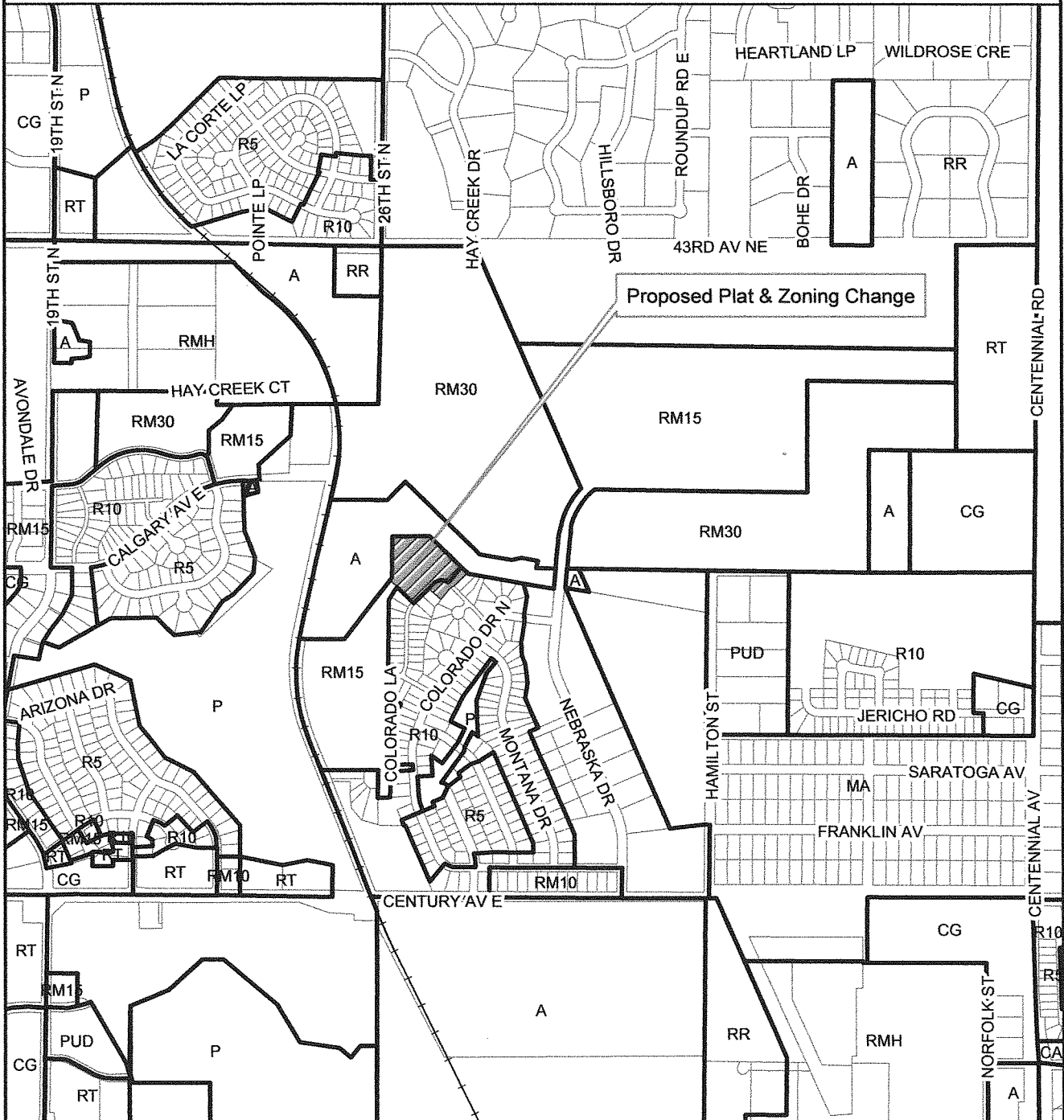
2. All technical requirements for approval of a minor subdivision final plat have been met.
3. The storm water management plan amendment has been approved by the City Engineer.
4. The proposed minor subdivision final plat is compatible with adjacent land uses. Adjacent land uses include developed single, two and multi-family subdivisions to the south, southeast and southwest, Edgewood Village to the west, undeveloped, single, two and multi-family zoning to the north and undeveloped multi-family zoned property to the east.
5. The property is already annexed therefore, the proposed subdivision will not place an undue burden on public services.
6. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
7. The proposed subdivision is consistent with the master plan, other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

Based on the above findings, staff recommends approval of the minor subdivision final plat of Edgewood Village Fifth Addition (a replat of Lots 11, 18, 65 and part of Lot 64, Block 1, Edgewood Village Second Addition), with the following condition:

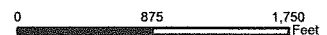
1. The large lot without access (Lot 18, Block 1) will be transferred to the adjacent landowner and combined with Lot 63, Block 1, Edgewood Village Second Addition.

# **Proposed Minor Subdivision Plat & Zoning Change (RM & R10 to R10)** **Edgewood Village Fifth Addition**



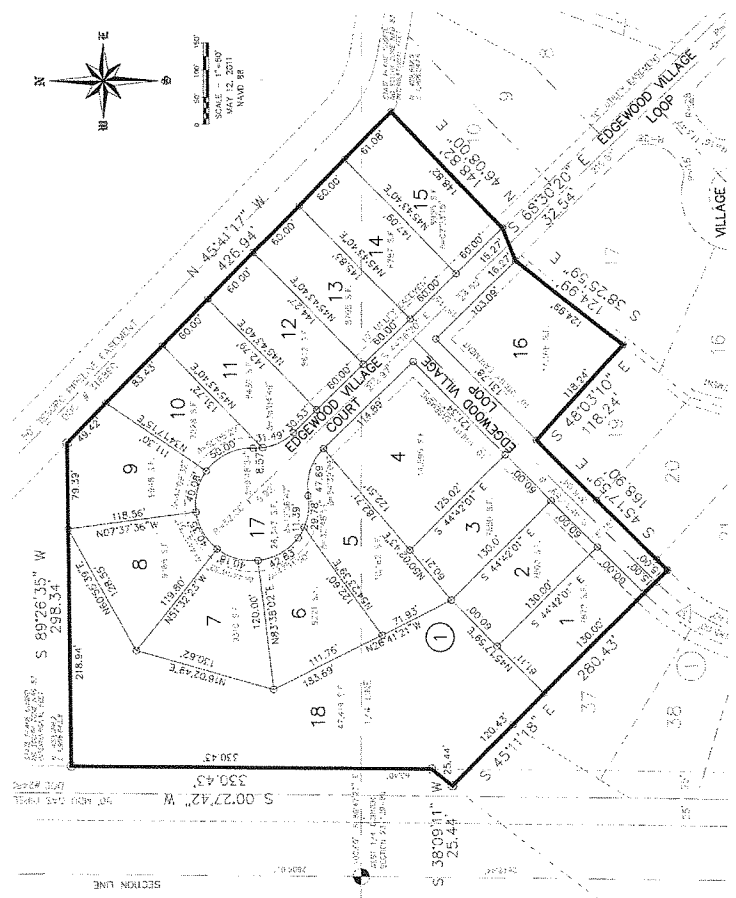
DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
 Map was Updated/Created: April 27, 2011 (kdg)

Source: City of Bismarck



**BISMARCK, NORTH DAKOTA**

SECTION 23	NW 1/4	109.129 S.F.	27. Acres
SECTION 23	SW 1/4	109.227 S.F.	2.46 Acres



NOTARY PUBLIC  
BURLEIGH COUNTY, NORTH DAKOTA  
MY COMMISSION EXPIRES







## SWENSON, HAGEN & CO. P.C.

civil engineering . surveying . land planning . hydrology  
landscape & site design . construction management

RECEIVED  
MAY 12 2011

May 11, 2011

Jason Tomanek  
Planning Dept  
City of Bismarck  
PO Box 5503  
Bismarck, ND 58506-5503

Re: Edgewood Village Fifth Addition

Dear Jason:

Please consider this as our request to use a cul de sac within the plat of Edgewood Village Fifth Addition.

Attached is the grading plan for Edgewood Village Court, which is proposed as a private street with a cul de sac. We have planned to install a cul de sac at this location due to the following reasons. To extend the street to the west is not possible. To the west of the proposed cul de sac and 80 feet below the proposed street, there is a wetland from Hay Creek, as well as a high pressure gas pipeline, the DMVW Railroad and the Pebble Creek Golf Course. North of the proposed cul de sac, there is an oil pipeline.

These factors have necessitated the use of a cul de sac.

Sincerely,

Dave Patience, AICP  
Land Development Consultant

DP;jh

**BISMARCK-BURLEIGH COUNTY  
PLANNING & DEVELOPMENT DEPARTMENT STAFF REPORT**

<b>BACKGROUND:</b>		
<b>Title:</b> Rock Creek 3rd Subdivision – Zoning Change (A and RR to RR)		
<b>Status:</b> Planning Commission – Public Hearing	<b>Date:</b> June 22, 2011	
<b>Owner(s):</b> James Kessler	<b>Engineer:</b> Ulteig Engineers, Inc.	
<b>Reason for Request:</b> The owner of an existing lot located on the west edge of a platted subdivision has purchased adjoining land and wishes to consolidate the new piece with his existing platted lot. The new property is proposed for rezoning from A to RR to match the existing lot. Platting is necessary because this merger also requires the extension and dedication of Siltstone Drive right-of-way.		
<b>Location:</b> 4.6 miles east of US Highway 83, north of 71 <sup>st</sup> Avenue NE (part of the SE¼ of Section 5, T139N-R79W/ Gibbs Township, including a replat of Lot 1 Block 5, Rock Creek 2 <sup>nd</sup> Subdivision)		
<b>Project Size:</b> 2.34-acres	<b>Number of Lots:</b> 1 lot in 1 block	
<b>EXISTING CONDITIONS:</b>		
<b>Land Use:</b> Agricultural and residential	<b>PROPOSED CONDITIONS:</b>	
<b>Zoning:</b> A-Agriculture RR-Residential	<b>Land Use:</b> Residential	
	<b>Zoning:</b> RR– Rural Residential	
<b>Uses Allowed:</b> A-General agriculture RR-Large-lot, single family residential	<b>Uses Allowed:</b> RR-Large lot single-family residential	
<b>Maximum Density Allowed:</b> A = 1 unit per 40 acres RR = 1 unit per 65,000 sq. ft.	<b>Maximum Density Allowed:</b> 1 unit per 65,000 sq. ft.	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> May, 2005	<b>Platted:</b> May, 2005	<b>Annexed:</b> N/A
<b>ADDITIONAL INFORMATION:</b>		
1. Because the proposed subdivision is within the joint 2 to 4-mile ETA, it is subject to the joint jurisdiction legislation. As the underlying subdivision was established prior to May 1, 2009, the City has primary jurisdiction. However, Burleigh County will have the opportunity to comment and may request negotiation within 30 days of the final decision of the City Commission.		
<b>FINDINGS:</b>		
1. The proposed zoning change is consistent with the Land Use Plan which identifies the long range use of this area as urban residential (Bismarck-Mandan Regional Land Use Plan).  2. The proposed zoning change is compatible with adjacent land uses. Adjacent land uses include developed rural residential lots to the north, east, and south with agricultural land to the west.		
<i>(continued)</i>		

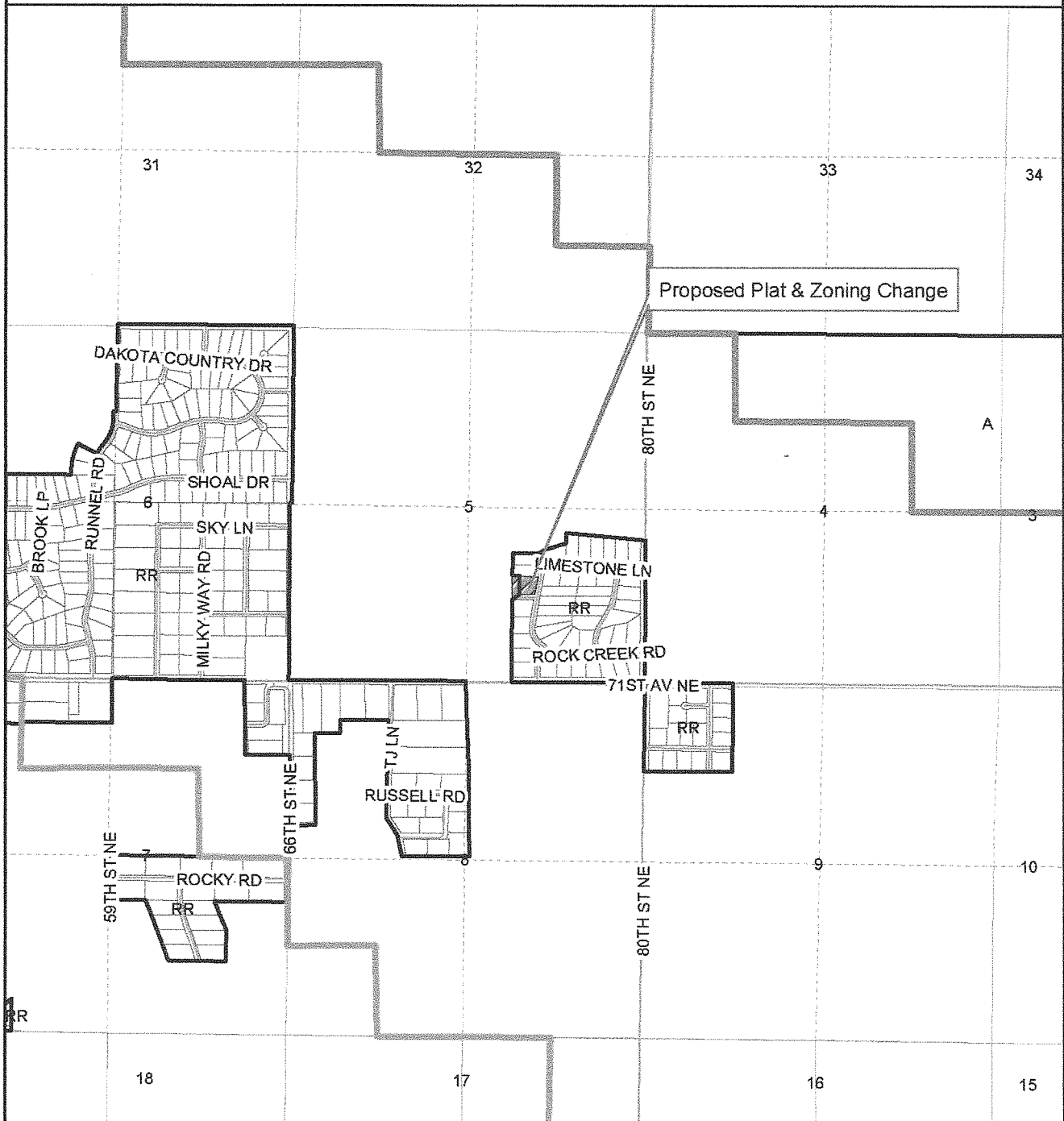


3. The proposed zoning change is consistent with the Future Land Use Plan which identifies this area as Urban Residential.
4. The property included in the proposed subdivision is already developed, has an existing access to Siltstone Road, and is served by South Central Regional Water District; therefore, the zoning change will not place an undue burden on public services.
5. The proposed zoning change would not adversely affect property in the vicinity.
6. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
7. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

Based on the above findings, staff recommends approval of the zoning change from A-Agricultural and RR-Residential to RR-Residential for Lot 1, Block 1, Rock Creek 3<sup>rd</sup> Subdivision.

# Proposed Plat & Zoning Change (A & RR to RR) Rock Creek 3rd Subdivision



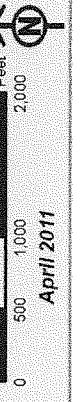
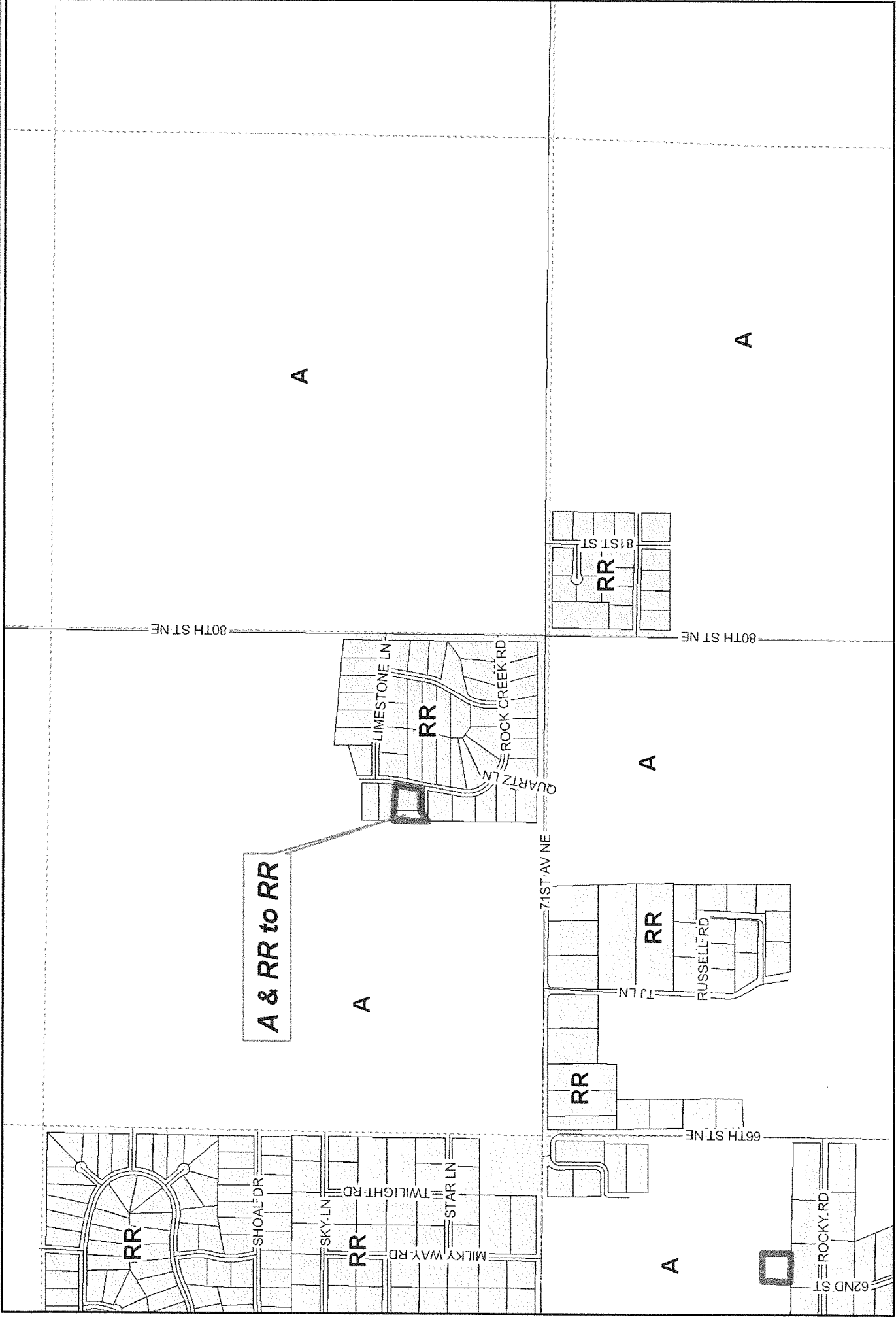
DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated herein.  
Map was Updated/Created: March 29, 2011 (kdg)

Source: City of Bismarck



0 1,700 3,400 Feet

# Rock Creek 3rd Subdivision - Zoning Change - A & RR to RR



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April 2011

**BISMARCK-BURLEIGH COUNTY  
PLANNING & DEVELOPMENT DEPARTMENT STAFF REPORT**

<b>BACKGROUND:</b>		
<b>Title:</b> Rock Creek 3rd Subdivision – Final Plat		
<b>Status:</b> Planning Commission – Public Hearing	<b>Date:</b> June 22, 2011	
<b>Owner(s):</b> James Kessler	<b>Engineer:</b> Ulteig Engineers, Inc.	
<b>Reason for Request:</b> The owner of an existing lot located on the west edge of a platted subdivision has purchased adjoining land and wishes to consolidate the new piece with his existing platted lot. Platting is necessary because this merger also requires the extension and dedication of Siltstone Drive right-of-way.		
<b>Location:</b> 4.6 miles east of US Highway 83, north of 71 <sup>st</sup> Avenue NE (part of the SE¼ of Section 5, T139N-R79W/Gibbs Township, including a replat of Lot 1 Block 5, Rock Creek 2 <sup>nd</sup> Subdivision)		
<b>Project Size:</b> 2.34-acres	<b>Number of Lots:</b> 1 lot in 1 block	
<b>EXISTING CONDITIONS:</b>		
<b>Land Use:</b> Agricultural and residential	<b>PROPOSED CONDITIONS:</b>	
<b>Zoning:</b> A-Agriculture RR-Residential	<b>Land Use:</b> Residential	
	<b>Zoning:</b> RR– Rural Residential	
<b>Uses Allowed:</b> General agriculture Large-lot, single family residential	<b>Uses Allowed:</b> Large lot single-family residential	
<b>Maximum Density Allowed:</b> A = 1 unit per 40 acres RR = 1 unit per 65,000 sq. ft.	<b>Maximum Density Allowed:</b> 1 unit per 65,000 sq. ft.	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> May, 2005	<b>Platted:</b> May, 2005	<b>Annexed:</b> N/A
<b>ADDITIONAL INFORMATION:</b>		
1. Because the proposed subdivision is within the joint 2 to 4-mile ETA, it is subject to the joint jurisdiction legislation. As the underlying subdivision was established prior to May 1, 2009, the City has primary jurisdiction. However, Burleigh County will have the opportunity to comment and may request negotiation within 30 days of the final decision of the City Commission.		
<b>FINDINGS:</b>		
1. All technical requirements for approval of a final plat have been met.  2. The proposed subdivision has no effect on the Fringe Area Road Master Plan.  3. The Gibbs Township Board of Supervisors has recommended approval of the proposed subdivision.		
(continued)		

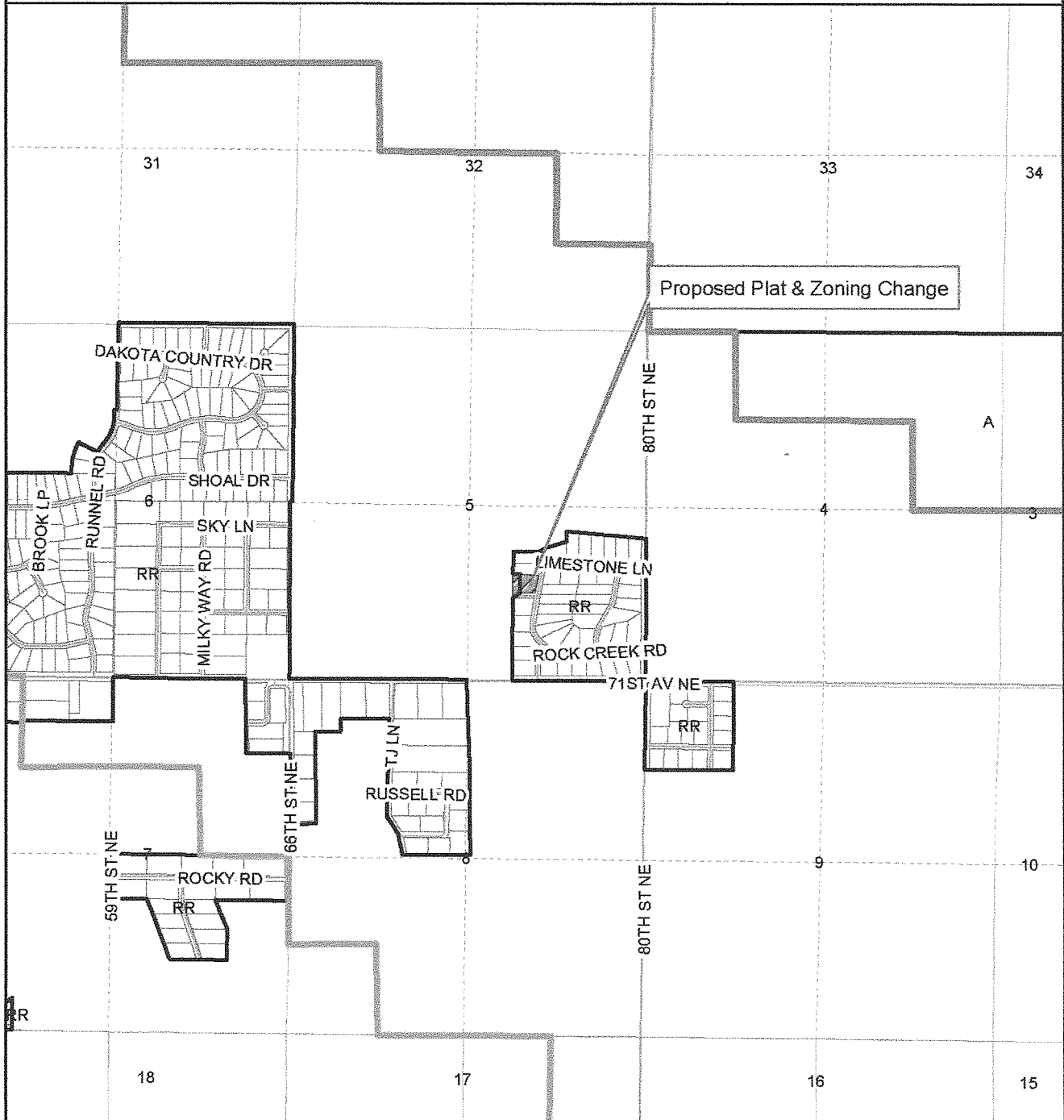
4. A Storm Water Master Plan was approved for Rock Creek 2<sup>nd</sup> Subdivision in 2005. It was determined that the minor expansion of this existing lot would not negatively alter any existing surface water drainage patterns. The Storm Water Master Plan has been waived by the City Engineer.
5. The proposed subdivision is compatible with adjacent land uses. Adjacent land uses include developed rural residential lots to the north, east, and south with agricultural land to the west.
6. The property included in the proposed subdivision is already developed, has an existing access to Siltstone Road, and is served by South Central Regional Water District; therefore, the proposed plat will not place an undue burden on public services.
7. The proposed subdivision would not adversely affect property in the vicinity.
8. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
9. The proposed subdivision is consistent with the master plan, other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

Based on the above findings, staff recommends approval of the final plat of Rock Creek 3<sup>rd</sup> Subdivision.

# Proposed Plat & Zoning Change (A & RR to RR)

## Rock Creek 3rd Subdivision



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: March 29, 2011 (kdg)

Source: City of Bismarck

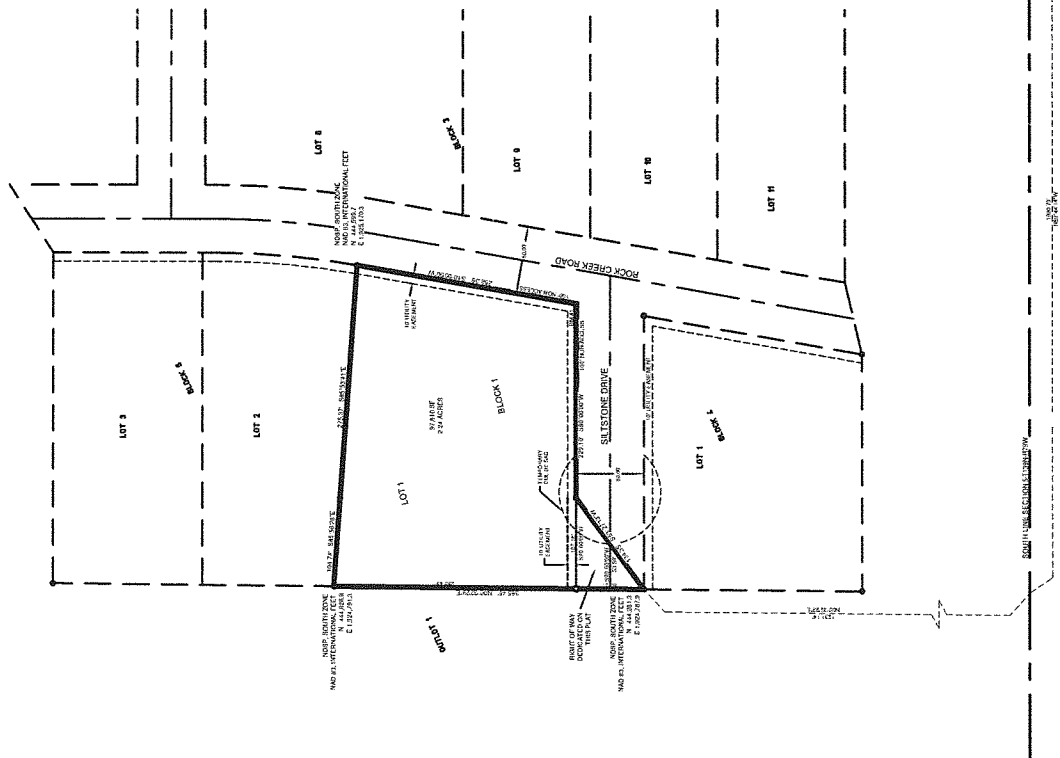


0 1,700 3,400 Feet

### BENCHMARKS

	Square ft.	Acres
Lots	97,810	2.24
Streets	4,287	0.10
Total	101,997	2.34

DEATH TABLE



SCALE: 1 INCH = 60 FEET  
ALL DIMENSIONS SHOWN ARE  
IN TERMS OF INTERNATIONAL  
FEET ORIENTATION OF THIS  
BEARING SYSTEM IS NORTH  
DAKOTA STATE PLANE  
COORDINATES, SOUTH ZONE.

OWNER / DEVELOPER:  
JAMES KESSLER  
7520 SALTSTONE DRIVE  
BIRMINGHAM, AL 35261

**SURVEYOR:**  
JAMES ALBERT, PLS 4730  
ULTID ENGINEERS, INC.  
1412 BUSH AVENUE  
SPRINGFIELD, NORTH DAKOTA 58004

continued from page 10

Ultime

June 08, 2011

DESCRIPTION

A REPLAT OF ALL OF LOT 1, BLOCK 8 OF ROCK CREEK SECOND SUBDIVISION AND LOT A OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 136 NORTH, RANGE 119 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BURDISH COUNTY, NORTH DAKOTA, SAID TRACT CONTAINS 2.34 ACRES OF LAND, MORE OR LESS.

**APPROVAL OF THE BOARD OF CITY COMMISSIONERS**

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, WAS INFORMED THAT THE CITY ENGINEER HAS SUBMITTED A REQUEST TO THE BOARD AS SHOWN ON THE PLAN THAT ACCOMPANIES THIS REPORT. THE CITY ENGINEER REQUESTS THAT THE BOARD APPROVE THE CITY ENGINEER'S REQUEST TO REDESIGN THE STREETS SHOWN ON THE PLAN AS SHOWN ON THE ATTACHED MAP. THE CITY ENGINEER REQUESTS THAT THE BOARD APPROVE THE CITY ENGINEER'S REQUEST TO REDESIGN THE STREETS SHOWN ON THE ATTACHED MAP AS SHOWN ON THE MASTER PLAN OF THE CITY OF BISMARCK, NORTH DAKOTA.

THE FOREGOING ACTION OF THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE \_\_\_\_ DAY OF \_\_\_\_ 2011.

ATTEST: \_\_\_\_\_

## APPROVAL OF CITY PLANNING COMMISSION

THE SUBMISSION OF LAND AS SHOWN ON THE PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF BISMARCK, ON THE DAY OF 2011, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF BISMARCK AND REGULATIONS ADOPTED BY SAID PLANNING COMMISSION. IN WITNESS WHEREOF, I SET THE HANDS AND SEALS OF THE CHAIRMAN AND SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF BISMARCK.

**FRANZ LEE YEAGER - CHAIRMAN**

**CASE. D. HOKENSTAD - SECRETARY**

APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS

THE BOARD OF COUNTY COMMISSIONERS OF BURLINGTON COUNTY, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE PLAT, HAS ACCEPTED THE CONVEYANCE OF ALL STREETS AND ALLEYS SHOWN THEREON, HAS APPROVED THE WORKS ON THE PLAY AREAS FOR AN AMENDMENT TO THE MASTER PLAN OF BURLINGTON COUNTY, NORTH DAKOTA.

THE FOREGOING ACTION OF THE BOARD OF CITY COMMISSIONERS OF MINNEAPOLIS, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

THE BOARD OF CITY COMMISSIONERS OF EISMARCK, N.

WISCONSIN - DANIEL HOFFER

ATTEST  
KEVIN GLATT - COUNTY AUDITOR

## APPROVAL OF THE CITY ENGINEER

1. MELVIN J. ELLINGER, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE THE ROCK CREEK 3RD SUBDIVISION IN BURLEIGH COUNTY, NORTH DAKOTA AS SHOWN ON THE PLAN.

**JOEL VAN J. BULLINGER, P.E.**  
CITY ENGINEER

### OWNER'S CERTIFICATE AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT JAMES KESSLER BEING THE OWNER AND PROPRIETOR OF THE PROPERTY SHOWN ON THE PLAT HAVE CAUSED THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS THE ROCK CREEK WATER SUBDIVISION, AND SO DEDICATE STREETS AS SHOWN HEREON INCLUDING ALL WATER, SEWER, GAS, TRAIL, AND GAS DISTRIBUTION LINES AND OTHER PUBLIC UTILITY LINES, WHETHER SHOWN HEREON OR NOT, TO THE PUBLIC USE FOREVER. THEY ALSO DEDICATE THE LANDS TO BE SHOWN WITH THE PLAT FOR COAL, ELECTRIC, AND TELEPHONE LINES, AND ALL OTHER RIGHTS AND INTERESTS WHICH MAY BE GRANTED OR RESERVED HEREIN AS "PUBLICLY EASEMENTS."

JAMES ROSSLER  
7520 SILSTONE DRIVE  
STEARACK, MO 66203

STATE OF NORTH DAKOTA

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011, BEFORE ME PERSONALLY APPEARED JAMES HESSLER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING OWNER'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC  
SOUTH DAKOTA

## SURVEYOR'S CERTIFICATE

I, JAMES ALBERT, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE PLAT IS A TRUE REPRESENTATION OF THE ROCK CREEK 3RD ADDITION IN BURLEIGH COUNTY, NORTH DAKOTA. FURTHER THAT ALL INFORMATION FURNISHED BY ME TO THE PUBLIC IN CONNECTION WITH THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE.

JAMES ALGER H.D. RLS 4730  
ALTEG ENGINEERS, INC. 1412 BAZEN AVENUE  
BOSTON, MASS.

STATE OF NORTH DAKOTA

COUNTY OF SURLINCH      SS      DAY OF      2011, BEFORE ME PERSONALLY APPEARED  
JAMES ALBERT, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED  
E. FOREGOING SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE  
EXECUTED THE SAME.

CLARENCE KROLL, NOTARY PUBLIC  
SIOUX COUNTY, NORTH DAKOTA





RECEIVED  
APR 14 2011

## RESOLUTION

WE, THE BOARD OF TOWNSHIP SUPERVISORS OF GIBBS TOWNSHIP,  
BURLEIGH COUNTY, NORTH DAKOTA, HAVE BEEN ADVISED OF THE  
PROPOSED PLAT OF ROCK CREEK 3<sup>RD</sup> ADDITION AND HEREBY  
RECOMMEND TO THE BOARD OF CITY COMMISSIONERS THAT SAID PLAT  
BE (APPROVED) (DENIED). (PLEASE ATTACH CONDITIONS, IF ANY, TO THE  
BOARD'S ACTION.)

IF THE TOWNSHIP IS RECOMMENDING DENIAL, PLEASE LIST THE REASONS:

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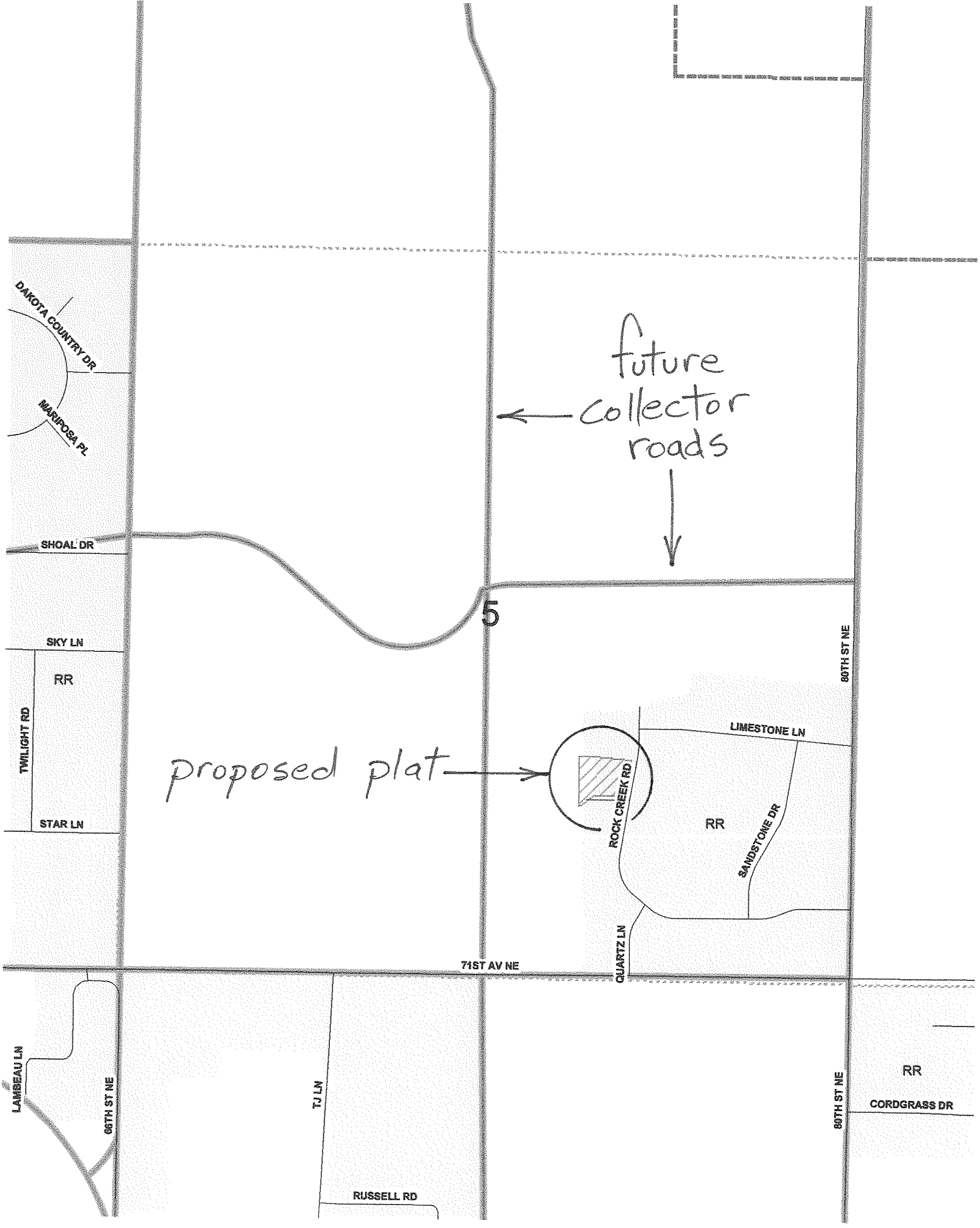
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CHAIRMAN, TOWNSHIP BOARD

  
ATTEST: TOWNSHIP CLERK

\*PLEASE RETURN WITHIN 60 DAYS OF  
DATE OF THIS LETTER BY CERTIFIED MAIL.



DAKOTA COUNTRY DR  
MARIPOSA PL

SHOAL DR

SKY LN

RR

TWILIGHT RD

STAR LN

5

proposed plat



ROCK CREEK RD

LIMESTONE LN

RR

SANDSTONE DR

QUARTZ LN

71ST AV NE

80TH ST NE

LAMBEAU LN

86TH ST NE

TJ LN

RUSSELL RD

80TH ST NE

RR

CORDGRASS DR

future  
collector  
roads

**BISMARCK-BURLEIGH COUNTY PLANNING & DEVELOPMENT DEPARTMENT  
STAFF REPORT**

<b>BACKGROUND:</b>	
<b>Title:</b> Copper Ridge 3 <sup>rd</sup> Subdivision – Zoning Change (A to RR)	
<b>Status:</b> Planning Commission – Public Hearing	<b>Date:</b> June 22, 2011
<b>Owner(s):</b> Landcore, LLC – all lots except L1, B10 BEK Communications, Inc. – L1, B10	<b>Engineer:</b> Kadrmass Lee & Jackson
<b>Reason for Request:</b> Plat and zone property for the third phase of a rural residential development.	
<b>Location:</b> South of 62 <sup>nd</sup> Avenue SE between 52 <sup>nd</sup> Street SE and 66 <sup>th</sup> Street SE (Section 31, T138N-R79W/Apple Creek Township, less those parts previously platted as Copper Ridge and Copper Ridge 2 <sup>nd</sup> Subdivisions).	
<b>Project Size:</b> 367.75 acres	<b>Number of Lots:</b> 161 lots in 9 blocks
<b>EXISTING CONDITIONS:</b>	<b>PROPOSED CONDITIONS:</b>
<b>Land Use:</b> Agriculture/Undeveloped	<b>Land Use:</b> Residential
<b>Zoning:</b> A – Agriculture	<b>Zoning:</b> RR – Residential
<b>Uses Allowed:</b> Agriculture	<b>Uses Allowed:</b> Rural residential
<b>Maximum Density Allowed:</b> One unit per 40 acres	<b>Maximum Density Allowed:</b> Minimum lot size of 65,000sf
<b>PROPERTY HISTORY:</b>	
<b>Zoned:</b> N/A	<b>Platted:</b> N/A
<b>ADDITIONAL INFORMATION:</b>	
<ol style="list-style-type: none"> <li>The proposed zoning includes all of the property included in the previously approved plats for Copper Ridge 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> Subdivisions. These were approved in 2007 but were not recorded. As the zoning change for each plat would not have been effective until the plat was recorded, the previously approved zoning changes for this property never went into effect.</li> </ol>	
<b>FINDINGS:</b>	
<ol style="list-style-type: none"> <li>The proposed zoning change would be consistent with the Land Use Plan, which identifies the long range use of this area as rural residential (Bismarck-Mandan Regional Land Use Plan).</li> <li>The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include rural residential to north in this section, agricultural land to the east and south, and state-owned undeveloped land to the west.</li> <li>The subdivision proposed for this property would be the third phase of a rural residential subdivision, would be served by South Central Regional Water District, and would have access to Lincoln Road via 52<sup>nd</sup> Street and 66<sup>th</sup> Street; therefore, the zoning change would not place an undue burden on public services.</li> <li>The proposed zoning change would not adversely affect property in the vicinity.</li> </ol>	

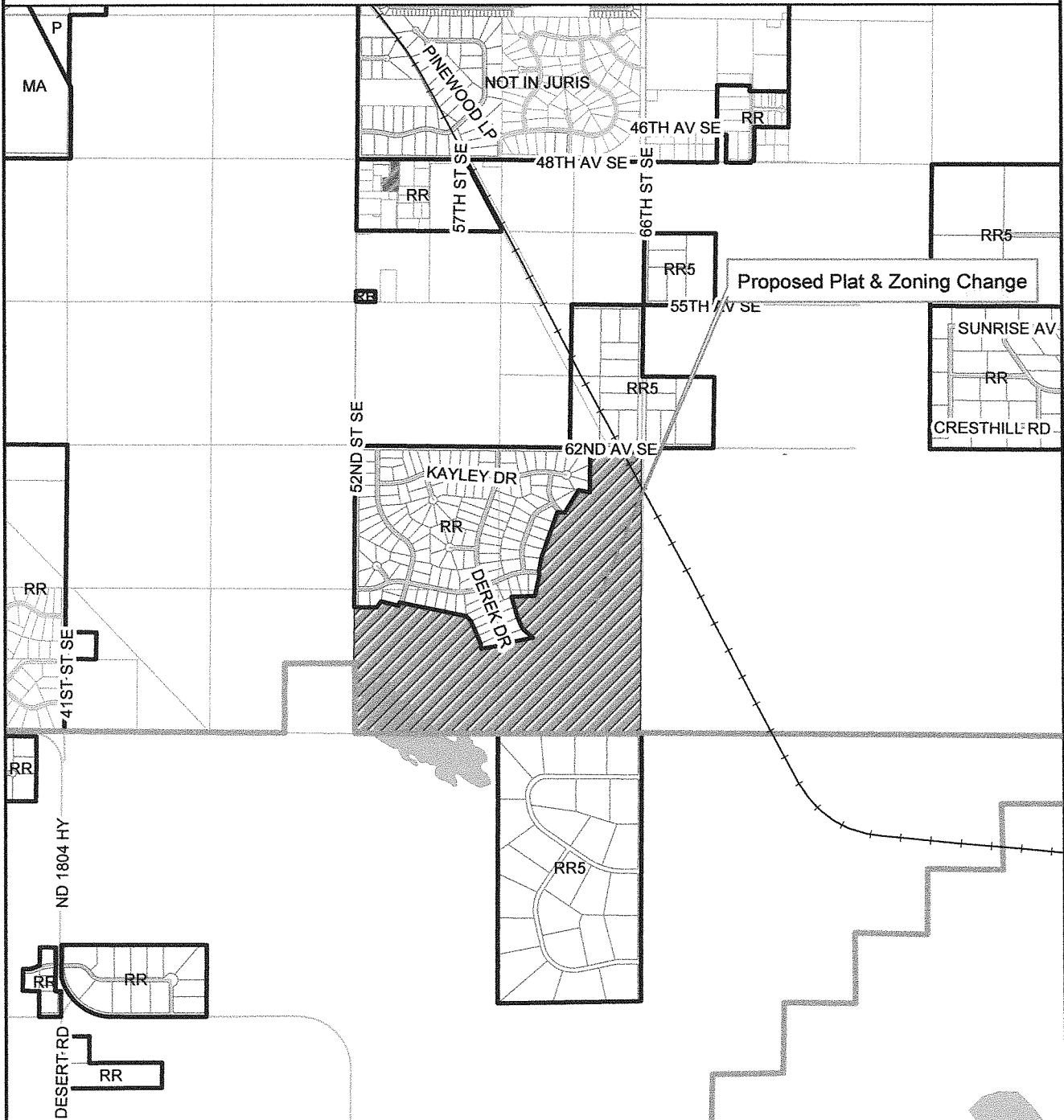
(continued)

5. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance.
6. The proposed subdivision is consistent with the master plan, other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

Based on the above findings, staff recommends approval of the zoning change from A – Agricultural to RR – Residential for Copper Ridge 3<sup>rd</sup> Subdivision (Lots 1-24, Block 1; Lots 1-13, Block 2; Lots 1-18, Block 3; Lots 1-13, Block 4; Lots 1-26, Block 5; Lots -26, Block 6; Lots 1-10, Block 7; Lots 1-16, Block 8 and Lots 1-15, Block 9).

# Proposed Plat & Zoning Change (A to RR) Copper Ridge 3rd Subdivision



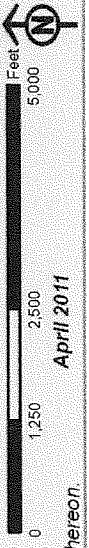
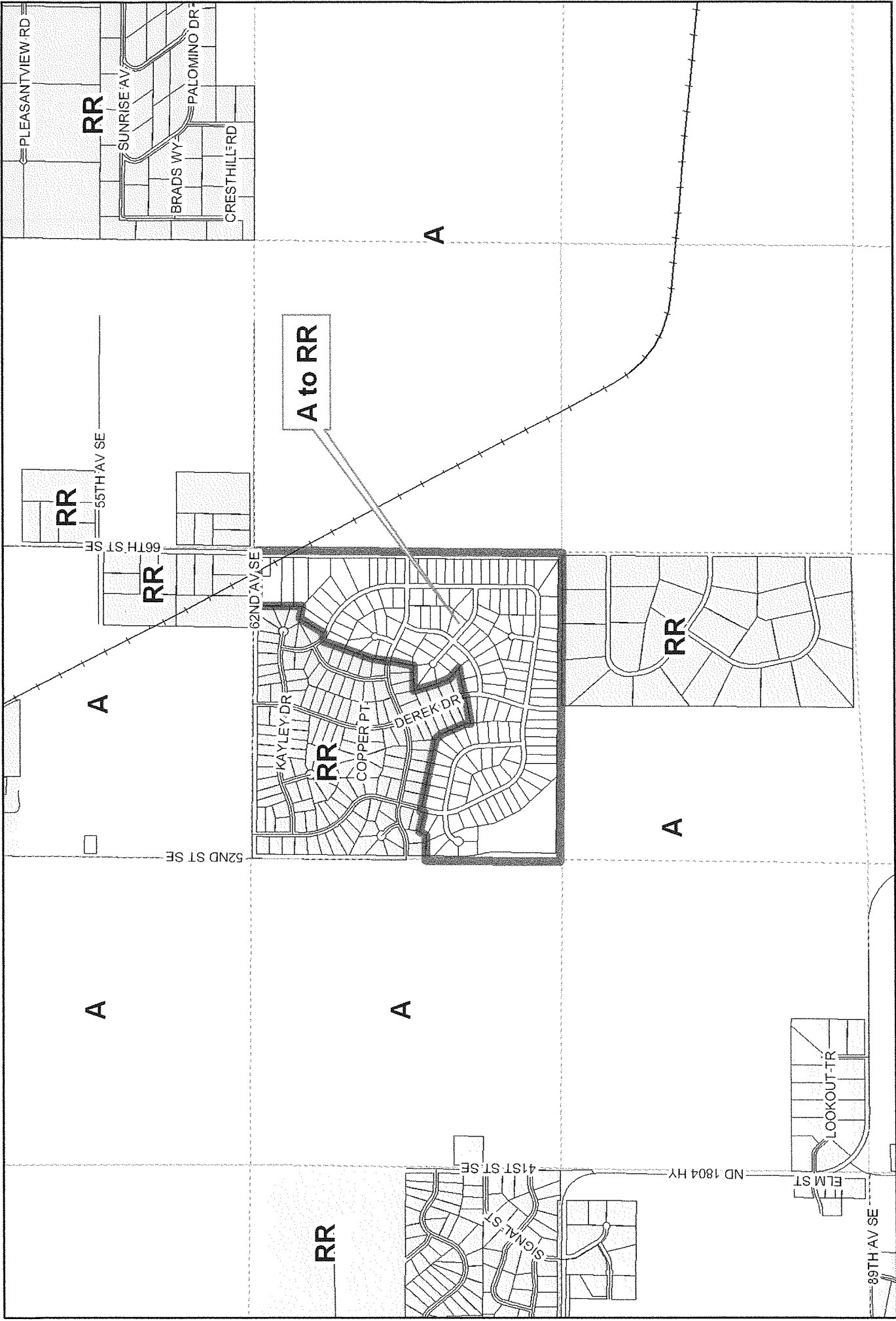
DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: March 29, 2011 (kdg)

Source: City of Bismarck



0 2,100 4,200 Feet

# Copper Ridge 3rd Subdivision - Zoning Change A to RR



April 2011

This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

# BISMARCK-BURLEIGH COUNTY PLANNING & DEVELOPMENT DEPARTMENT STAFF REPORT

<b>BACKGROUND:</b>	
<b>Title:</b> Copper Ridge 3 <sup>rd</sup> Subdivision – Final Plat	
<b>Status:</b> Planning Commission – Public Hearing	<b>Date:</b> June 22, 2011
<b>Owner(s):</b> Landcore, LLC – all lots except L1, B10 BEK Communications, Inc. – L1, B10	<b>Engineer:</b> Kadrmass Lee & Jackson
<b>Reason for Request:</b> Plat and zone property for the third phase of a rural residential development.	
<b>Location:</b> South of 62 <sup>nd</sup> Avenue SE between 52 <sup>nd</sup> Street SE and 66 <sup>th</sup> Street SE (Section 31, T138N-R79W/Apple Creek Township, less those parts previously platted as Copper Ridge Subdivision and Copper Ridge 2 <sup>nd</sup> Subdivision).	
<b>Project Size:</b> 367.75 acres	<b>Number of Lots:</b> 161 lots in 9 blocks
<b>EXISTING CONDITIONS:</b>	
<b>Land Use:</b> Agriculture/Undeveloped	<b>PROPOSED CONDITIONS:</b>
<b>Zoning:</b> A – Agriculture	<b>Land Use:</b> Residential
<b>Uses Allowed:</b> Agriculture	<b>Zoning:</b> RR – Residential
<b>Maximum Density Allowed:</b> One unit per 40 acres	<b>Uses Allowed:</b> Rural residential
	<b>Maximum Density Allowed:</b> Minimum lot size of 65,000sf
<b>PROPERTY HISTORY:</b>	
<b>Zoned:</b> N/A	<b>Platted:</b> N/A
<b>ADDITIONAL INFORMATION:</b>	
<ol style="list-style-type: none"> <li>1. The proposed plat includes all of the property included in the previously approved plats for Copper Ridge 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> Subdivisions. These were approved in 2007 but were not recorded.</li> <li>2. The proposed plat is a redesign of the original layout and was done in order to better address stormwater management within the development; however, the overall layout of the subdivision is very similar to the previously approved version.</li> <li>3. The proposed plat includes several cul-de-sacs in generally the same locations as shown in the previously approved version. The City's current cul-de-sac provisions were adopted after the previous layout was approved.</li> <li>4. The applicant has requested waivers to exceed the maximum block length of 1320 feet, to use cul-de-sacs because of the topography in this area and to include lots with minimum widths of less than 150 feet for lots on cul-de-sacs and curved roadways (although all lots will have an average width of 150 feet or greater). A copy of the request is attached. Waivers for the same requirements were granted in conjunction with approval of the previous plats.</li> </ol>	

(continued)

5. As the applicant is platting the rest of the section, he has requested that the plat be approved with a modification of the paving requirements. Normally, all interior roadways within a subdivision would have to be paved prior to the plat being recorded, or a bond or letter of credit would need to be posted to cover the cost of the paving. In this case, the applicant would like to enter into a separate agreement that identifies a phased development for this subdivision and only pave the roadways within a specific phase before that phase is developed. A copy of the proposed phasing plan is attached.
6. In order to provide right-of-way for the construction of 52<sup>nd</sup> Street on the western edge of the proposed plat and 76<sup>th</sup> Avenue on the southern edge of the proposed plat, the applicant has already obtained easements from the adjacent property owners. As an easement could not be obtained from the adjacent property owner for 66<sup>th</sup> Street on the eastern edge of the proposed plat, that roadway has been moved west of the section line so that 117 feet of the required right-of-way (150 less 33 feet provided along the section line) is located within this plat. The applicant has been working with the County Engineer on a plan to improve only those portions of the adjacent section line roads necessary for development of the property.
7. Because the Copper Ridge development is within five miles of the operations area of the Bismarck Municipal Airport, questions were raised whether or not the development was subject to the provisions of FAA Advisory Circular AC 150/5200-33A "Hazardous Wildlife Attractants On or Near Airports." In particular, because the storm water areas do not have outlets, concerns were expressed that they would function as retention ponds rather than detention ponds. Documentation has been submitted by Kadmas Lee & Jackson indicating that the infiltration rates are such that the ponds will drain in less than 48 hours, which would make them detention ponds rather than retention ponds and not subject to the FAA Advisory Circular requirements. Staff has reviewed this information and concurs that because they are detention ponds, a Hazardous Wildlife Opinion will not be required for the development.

#### **FINDINGS:**

1. All technical requirements for approval of a final plat have been met.
2. The revised stormwater management plan for the proposed subdivisions has been approved by the City Engineer, with concurrence from the County Engineer and a representative from the Burleigh County Water Resource District.
3. A written response has not been received from Apple Creek Township for this subdivision; however, they did recommend approval of the previous subdivisions.
4. The proposed subdivision generally conforms to the Fringe Area Road Master Plan for this area, which identifies Derek Drive as the north-south collector and Woodrow Drive as the east-west collector for this section.
5. The proposed subdivision would be compatible with adjacent land uses. Adjacent land uses include rural residential to north in this section, agricultural land to the east and south, and state-owned undeveloped land to the west.
6. The subdivision proposed for this property would be the third phase of a rural residential subdivision, would be served by South Central Regional Water District, and would have access to Lincoln Road via 52<sup>nd</sup> Street and 66<sup>th</sup> Street; therefore, the proposed subdivision would not place an undue burden on public services.

*(continued)*



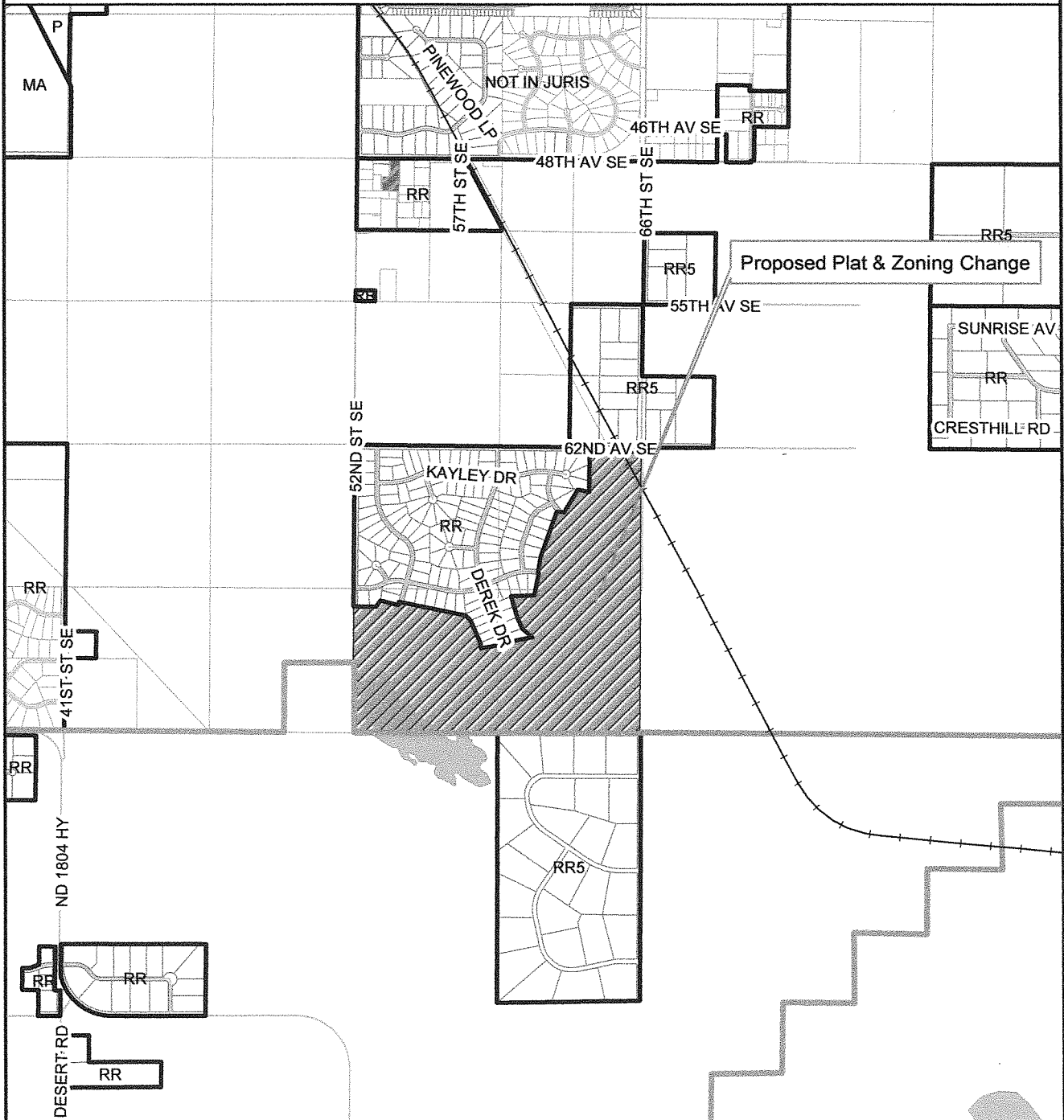
7. The proposed subdivision would not adversely affect property in the vicinity.
8. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
9. The proposed subdivision is consistent with the master plan, other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

Based on the above findings, staff recommends approval of the final plat of Copper Ridge 3<sup>rd</sup> Subdivision; granting waivers to exceed the maximum block length of 1320 feet, to use cul-de-sacs because of the topography in this area and to include lots with minimum widths of less than 150 feet for lots on cul-de-sacs and curved roadways; and with the understanding that:

1. The subdivision will be developed in phases, with each phase being developed in chronological order (Phase 1 before Phase 2, Phase 2 before Phase 3, etc).
2. Each phase will only be allowed to develop (ie, building permits issued) when written documentation is received from the Burleigh County Engineer that the roadways required for that particular phase have been constructed to minimum County standards and paved.
3. Each phase will only be allowed to develop (ie, building permits issued) when a storm water management plan certification is received for that phase indicating that the storm water facilities required for that particular phase have been installed in accordance with the approved stormwater management plan and said certifications have been accepted by both the City Engineer and the County Engineer.

# **Proposed Plat & Zoning Change (A to RR)** **Copper Ridge 3rd Subdivision**



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
 Map was Updated/Created: March 29, 2011 (kdg)

Source: City of Bismarck



0 2,100 4,200 Feet



A PORTION OF THE NE  $\frac{1}{4}$ , A PORTION OF THE SE  $\frac{1}{4}$ , A PORTION OF THE SW  $\frac{1}{4}$ , TOGETHER WITH TRACT A OF THE NE  $\frac{1}{4}$ , ALL IN SECTION 31, TOWNSHIP 138 NORTH, RANGE 79 WEST, BURLEIGH COUNTY, NORTH DAKOTA

12345678910111213141516171819202122232425262728293031323334353637383940414243444546474849505152535455565758596061626364656667686970717273747576777879808182838485868788899091929394959697989910010110210310410510610710810911011111211311411511611711811912012112212312412512612712812913013113213313413513613713813914014114214314414514614714814915015115215315415515615715815916016116216316416516616716816917017117217317417517617717817918018118218318418518618718818919019119219319419519619719819920020120220320420520620720820921021121221321421521621721821922022122222322422522622722822923023123223323423523623723823924024124224324424524624724824925025125225325425525625725825926026126226326426526626726826927027127227327427527627727827928028128228328428528628728828929029129229329429529629729829930030130230330430530630730830931031131231331431531631731831932032132232332432532632732832933033133233333433533633733833934034134234334434534634734834935035135235335435535635735835936036136236336436536636736836937037137237337437537637737837938038138238338438538638738838939039139239339439539639739839940040140240340440540640740840941041141241341441541641741841942042142242342442542642742842943043143243343443543643743843944044144244344444544644744844945045145245345445545645745845946046146246346446546646746846947047147247347447547647747847948048148248348448548648748848949049149249349449549649749849950050150250350450550650750850951051151251351451551651751851952052152252352452552652752852953053153253353453553653753853954054154254354454554654754854955055155255355455555655755855956056156256356456556656756856957057157257357457557657757857958058158258358458558658758858959059159259359459559659759859960060160260360460560660760860961061161261361461561661761861962062162262362462562662762862963063163263363463563663763863964064164264364464564664764864965065165265365465565665765865966066166266366466566666766866967067167267367467567667767867968068168268368468568668768868969069169269369469569669769869970070170270370470570670770870971071171271371471571671771871972072172272372472572672772872973073173273373473573673773873974074174274374474574674774874975075175275375475575675775875976076176276376476576676776876977077177277377477577677777877978078178278378478578678778878979079179279379479579679779879980080180280380480580680780880981081181281381481581681781881982082182282382482582682782882983083183283383483583683783883984084184284384484584684784884985085185285385485585685785885986086186286386486586686786886987087187287387487587687787887988088188288388488588688788888989089189289389489589689789889990090190290390490590690790890991091191291391491591691791891992092192292392492592692792892993093193293393493593693793893994094194294394494594694794894995095195295395495595695795895996096196296396496596696796896997097197297397497597697797897998098198298398498598698798898999099199299399499599699799899910001001100210031004100510061007100810091010101110121013101410151016101710181019102010211022102310241025102610271028102910301031103210331034103510361037103810391040104110421043104410451046104710481049105010511052105310541055105610571058105910601061106210631064106510661067106810691070107110721073107410751076107710781079108010811082108310841085108610871088108910901091109210931094109510961097109810991100110111021103110411051106110711081109111011111112111311141115111611171118111911201121112211231124112511261127112811291130113111321133113411351136113711381139114011411142114311441145114611471148114911501151115211531154115511561157115811591160116111621163116411651166116711681169117011711172117311741175117611771178117911801181118211831184118511861187118811891190119111921193119411951196119711981199120012011202120312041205120612071208120912101211121212131214121512161217121812191220122112221223122412251226122712281229123012311232123312341235123612371238123912401241124212431244124512461247124812491250125112521253125412551256125712581259126012611262126312641265126612671268126912701271127212731274127512761277127812791280128112821283128412851286128712881289129012911292129312941295129612971298129913001

ENGINEER/SURVEYOR  
MADRAS, LEE & JACKSON, INC.  
128 500 LINE DRIVE  
BISMARCK, NORTH DAKOTA 58501  
PHONE 701-355-8400

**OWNER:**  
LANDCORE, LLC.  
PO BOX 1437  
BISMARCK, ND 58502-1437

**OWNER:**  
 TEK COMMUNICATIONS  
 200 E. BROADWAY  
 PO BOX 230  
 STEELE, ND 58462

### PLAT INFORMATION

.LOT ACREAGE - 303.096 ACRES  
STREET ACREAGE - 64.654 ACRES  
TOTAL ACREAGE - 367.750 ACRES

AREA IN NE 1/4 -- 85.006 ACRES  
AREA IN SE 1/4 -- 149.957 ACRES  
AREA IN SW 1/4 -- 131.787 ACRES  
TOTAL ACREAGE -- 367.750 ACRES

### PLAT LEGEND

- DENOTES MONUMENT FOUND  
 ○ DENOTES MONUMENT SET  
 [ ] DENOTES STORM WATER  
 & DRAINAGE EASEMENT  
 --- DENOTES LOT LINE  
 --- DENOTES EASEMENT LINE  
 - - - DENOTES NON-ACCESS LINE

**LOT INFORMATION**

161 LOTS IN 9 BLOCKS

**ZONING REQUEST**

	CURRENT ZONING -- A	REQUESTED ZONING -- RR
100' WIDE LOT		
FRONT YARD SETBACK	10'	10'
REAR YARD SETBACK	10'	10'
SIDE YARD SETBACK	5'	5'
MINIMUM FRONT SETBACK FOR DRIVEWAYS	10'	10'
MINIMUM SIDE AND REAR SETBACKS FOR DRIVEWAYS	5'	5'
MAXIMUM LOT COVERAGE	60%	60%
MAXIMUM BUILDING HEIGHT	35'	35'
MAXIMUM NUMBER OF STORIES	3	3
MAXIMUM GROUND COVERED BY BUILDINGS	75%	75%
MAXIMUM PERCENTAGE OF LOT AREA TO BE USED FOR PARKING SPACES	10%	10%
PARKING SPACE REQUIREMENTS	1 per 100 sq ft of building area	1 per 100 sq ft of building area
MINIMUM PAVED SURFACE FOR EACH PARKING SPACE	9' x 18'	9' x 18'
MINIMUM DRIVEWAY WIDTH	10'	10'
MINIMUM DRIVEWAY CLEARANCE	7'	7'
MINIMUM DRIVEWAY SETBACK FROM STREET	10'	10'
MINIMUM DRIVEWAY SETBACK FROM ADJACENT PROPERTY LINE	5'	5'
MINIMUM DRIVEWAY SETBACK FROM SIDEWALK	5'	5'
MINIMUM DRIVEWAY SETBACK FROM CURB	5'	5'
MINIMUM DRIVEWAY SETBACK FROM INTERSECTION	10'	10'
MINIMUM DRIVEWAY SETBACK FROM TRANSVERSE CURB CUT	10'	10'
MINIMUM DRIVEWAY SETBACK FROM RAILROAD CROSSING	10'	10'
MINIMUM DRIVEWAY SETBACK FROM AIRPORT	10'	10'
MINIMUM DRIVEWAY SETBACK FROM HIGHWAY	10'	10'
MINIMUM DRIVEWAY SETBACK FROM WATERWAY	10'	10'
MINIMUM DRIVEWAY SETBACK FROM POWER LINES	10'	10'
MINIMUM DRIVEWAY SETBACK FROM TELEPHONE LINES	10'	10'
MINIMUM DRIVEWAY SETBACK FROM FLOOD PLAIN	10'	10'
MINIMUM DRIVEWAY SETBACK FROM EROSION CONTROL	10'	10'
MINIMUM DRIVEWAY SETBACK FROM LANDSLIDE	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER HAZARDOUS SITES	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER PROPERTIES	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER FEATURES	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER OBSTACLES	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER STRUCTURES	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER UTILITIES	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER INFRASTRUCTURE	10'	10'
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MINIMUM DRIVEWAY SETBACK FROM OTHER PRESERVATION	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER RESTORATION	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER RECONSTRUCTION	10'	10'
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MINIMUM DRIVEWAY SETBACK FROM OTHER TREATMENT	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER STORAGE	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER TRANSPORTATION	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER DISTRIBUTION	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER COLLECTION	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER PROCESSING	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER MANUFACTURING	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER ASSEMBLY	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER PACKAGING	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER LABELING	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER MARKETING	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER SALES	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER DISTRIBUTION CHANNELS	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER RETAILERS	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER WHOLESALE	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER EXPORT	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER IMPORT	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER TRADE	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER COMMERCE	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER INDUSTRY	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER BUSINESS	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER PROFESSION	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER SERVICE	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER HEALTHCARE	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER EDUCATION	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER RESEARCH	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER DEVELOPMENT	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER INVESTIGATION	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER ANALYSIS	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER EVALUATION	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER TESTING	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER MEASUREMENT	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER MONITORING	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER RECORDING	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER DOCUMENTATION	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER REPORTING	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER COMMUNICATION	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER INFORMATION	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER KNOWLEDGE	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER UNDERSTANDING	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER BELIEF	10'	10'
MINIMUM DRIVEWAY SETBACK FROM OTHER OPINION	10'	10'

 $\mathbb{Z}$ 

DATE: MAY 2011

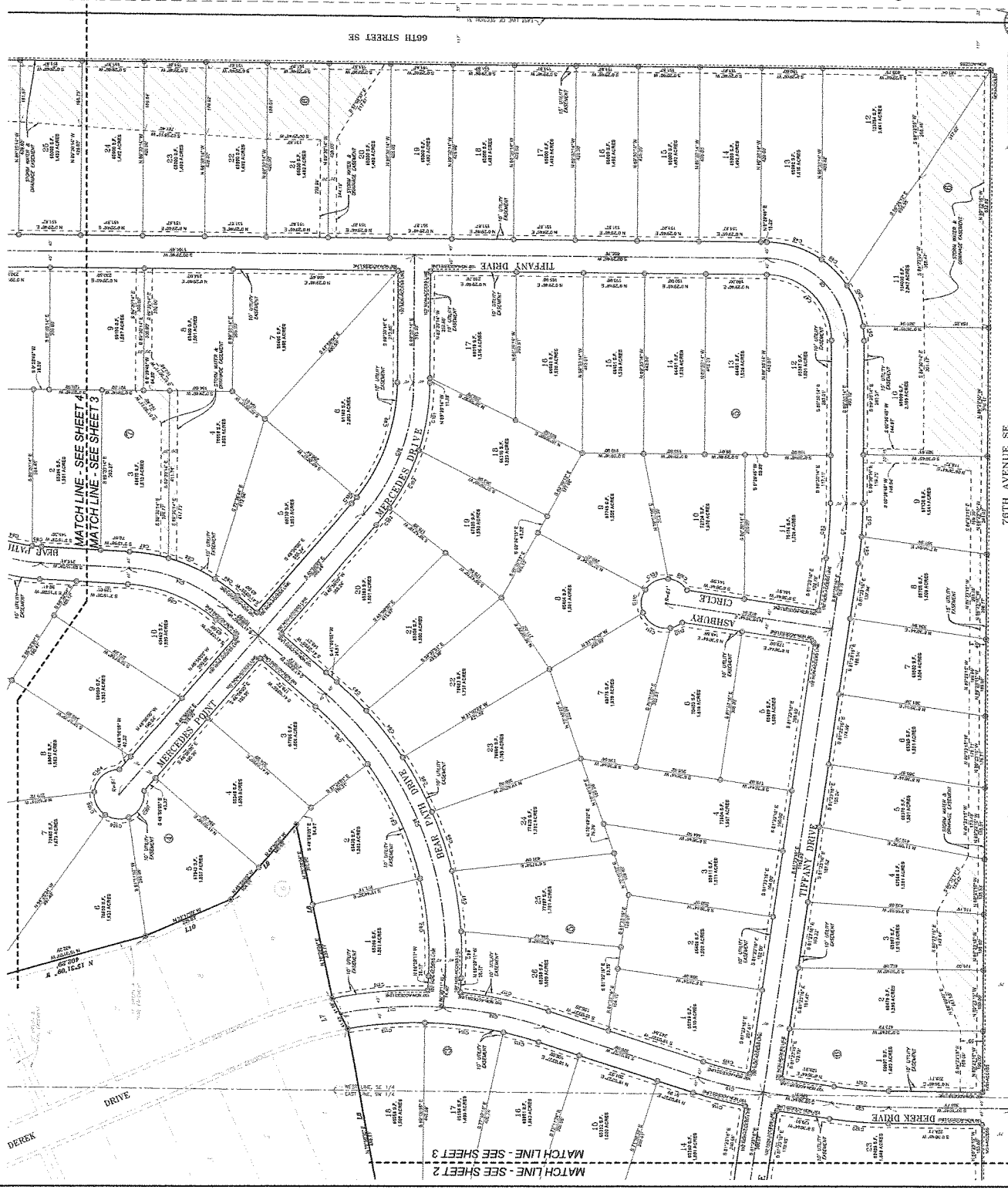
TOPOGRAPHICAL SURVEY DATE: FALL 2003  
TOPOGRAPHICAL SURVEY DATE: FALL 2009  
BASIS OF BEARING: S.P.C. SYSTEM  
HORIZONTAL DATUM: S.P.C. SYSTEM, NAD 83 (ADJUSTED 86)  
UNITS OF MEASUREMENT: INTERNATIONAL FEET,  
AND SOUTH ZONE 3302  
VERTICAL DATUM: NAVD 88  
BENCHMARK: BURLINGHAM COUNTY GPS PT. #51-25  
BENCHMARK ELEVATION: 1714.56

Kadmas  
Lee &  
Jackson

RECEIVED

JUN 10 2011

**COPPER RIDGE 3RD SUBDIVISION**  
A PORTION OF THE NE 1/4, A PORTION OF THE SE 1/4, A PORTION OF THE SW 1/4, TOGETHER WITH TRACT A OF THE NE 1/4,  
ALL IN SECTION 31, TOWNSHIP 138 NORTH, RANGE 79 WEST, BURLEIGH COUNTY, NORTH DAKOTA



ENGINEER: CHANDLER  
MORRIS, LEE & ASSOCIATES, INC.  
200 S. 10TH AVE. SUITE 200  
BISMARCK, ND 58101  
PHONE: 701-252-5800

OWNER:  
UNION PACIFIC  
BISMARCK, ND 58102-1437  
PHONE: 232-1441

REG. COMM. NO. 2007-1437  
REG. COMM. NO. 2007-1437  
STELL. NO. 58462

**PLAT INFORMATION**  
LOT ACREAGE - 303.096 ACRES  
STREET ACREAGE - 64.654 ACRES  
TOTAL ACREAGE - 367.750 ACRES

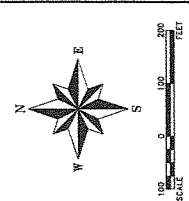
AREA IN NE 1/4 - 98.008 ACRES  
AREA IN SE 1/4 - 149.957 ACRES  
AREA IN SW 1/4 - 131.782 ACRES  
TOTAL ACREAGE - 367.750 ACRES

**PLAT LEGEND**

- DENOTES MONUMENT FOUND
- DENOTES MONUMENT SET
- DENOTES STORM WATER & DRAINAGE EASEMENT
- DENOTES LOT LINE
- DENOTES EASEMENT LINE
- DENOTES NON-ACCESS LINE

**LOT INFORMATION**  
181 LOTS IN 9 BLOCKS

**ZONING REQUEST**  
CURRENT ZONING - A  
REQUESTED ZONING - RR



DATE: MAY 2011  
TOPOGRAPHICAL SURVEY DATE: FALL 2003  
TOPOGRAPHICAL SURVEY DATE: FALL 2009  
HORIZONTAL DATUM: NAD 83  
HORIZONTAL DATUM S.P.C. SYSTEM  
NAD 83 (ADJUSTED 86)  
UNITS OF MEASURE: FEET  
VERTICAL DATUM: NAVD 83  
BURLINGHAM COUNTY OFF. PT. 65-25  
BENCHMARK ELEVATION: 1714.95

Kadmas  
Lee &  
Jackson  
Professional Surveyors

RECEIVED

# COPPER RIDGE 3RD SUBDIVISION

A PORTION OF THE NE 1/4, A PORTION OF THE SE 1/4, TOGETHER WITH TRACT A OF THE NE 1/4,  
ALL IN SECTION 31, TOWNSHIP 138 NORTH, RANGE 79 WEST, BURLEIGH COUNTY, NORTH DAKOTA

JUN 10 2011

ENGINEER/SURVYOR  
KADMAS, LEE & JACKSON, INC.  
BISMARCK, NORTH DAKOTA 58501  
PHONE 701-335-8400

OWNER:  
LANCROSS, LLC  
BISMARCK, ND 58505-1437  
PHONE 722-4441

RECORDING INFORMATION  
RECORDING OFFICE  
BUREAU OF RECORDS  
BISMARCK, ND 58505  
STREET, ND 58505

## PLAT INFORMATION

LOT ACRES - 303.096 ACRES  
STREET ACRES - 64,654 ACRES  
TOTAL ACRES - 367,750 ACRES  
AREA IN NE 1/4 - 86,006 ACRES  
AREA IN SE 1/4 - 149,957 ACRES  
AREA IN SW 1/4 - 131,787 ACRES  
TOTAL ACRES - 367,750 ACRES

## PLAT LEGEND

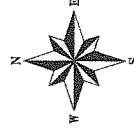
- DENOTES MONUMENT FOUND
- DENOTES MONUMENT SET
- DENOTES STORM WATER
- DENOTES EASEMENT
- DENOTES LOT LINE
- DENOTES EASEMENT LINE
- DENOTES NON-ACCESS LINE

## LOT INFORMATION

161 LOTS IN 9 BLOCKS

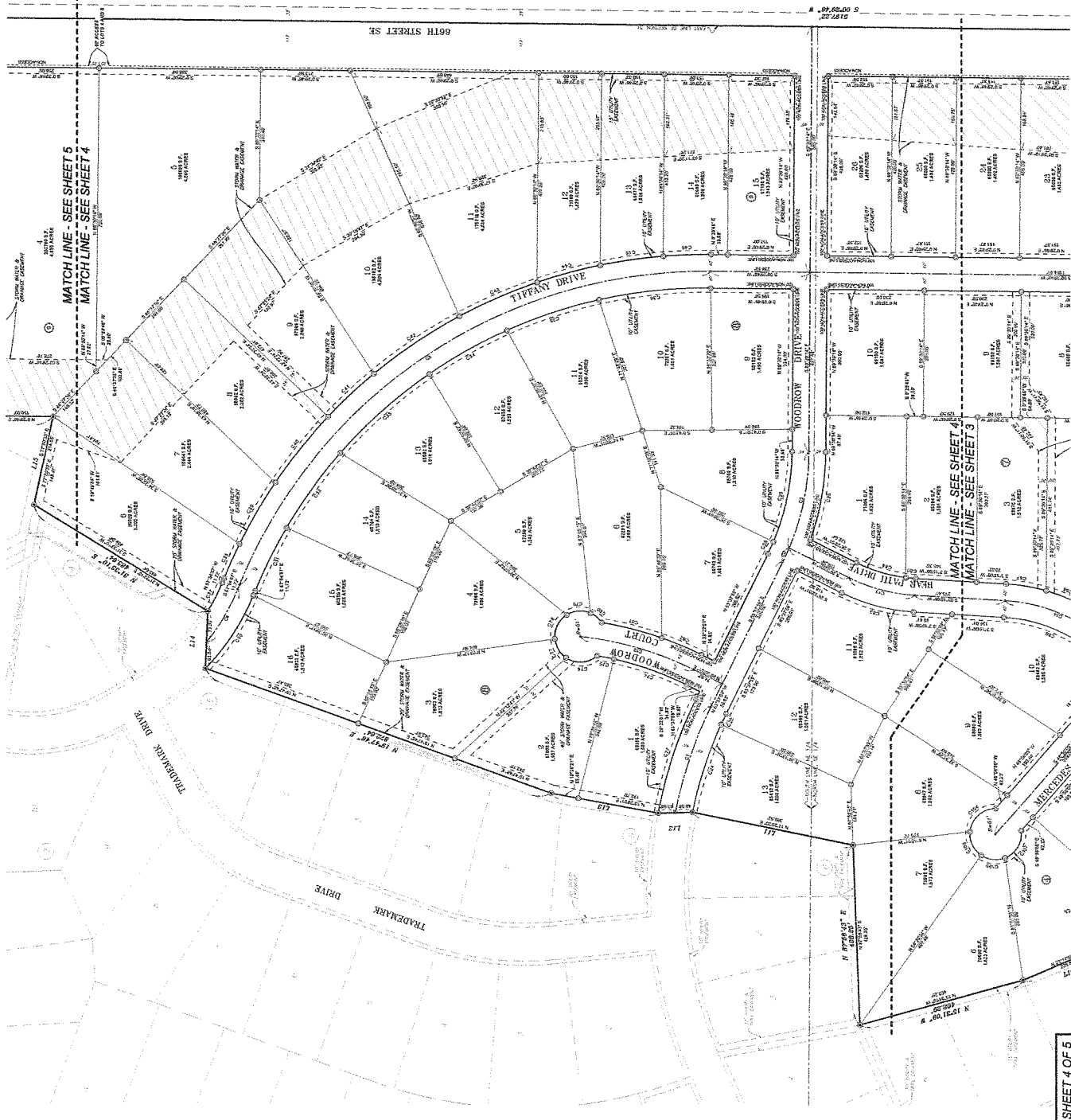
## ZONING REQUEST

CURRENT ZONING - A  
REQUESTED ZONING - RR



DATE: MAY 2011  
TOPOGRAPHICAL SURVEY DATE: FALL 2003  
TOPOGRAPHIC SURVEY BY: KADMAS, LEE & JACKSON, INC.  
HORIZONTAL DATUM: S.P.C. SYSTEM  
VERTICAL DATUM: NGVD 83  
UNITS OF MEASURE: HORIZONTAL FT.,  
VERTICAL FEET  
BENCHMARK: BUREAU OF RECORDS, PT. 851-25  
BENCHMARK ELEVATION: 1714.56

Kadmas  
Lee &  
Jackson  
Engineers & Surveyors



RECEIVED

JUN 10 2011

# COPPER RIDGE 3RD SUBDIVISION

A PORTION OF THE NE 1/4, A PORTION OF THE SE 1/4, A PORTION OF THE SW 1/4, TOGETHER WITH TRACT A OF THE NE 1/4,  
ALL IN SECTION 31, TOWNSHIP 138 NORTH, RANGE 79 WEST, BURLEIGH COUNTY, NORTH DAKOTA

ENGINEER SURVEYOR  
KADRIAN SURVEYING  
120 S. 13TH AVE. SUITE 100  
BISMARCK, ND 58103  
PHONE: 701-255-4000

OWNER:  
LAWSON, JAMES  
PO BOX 1437  
BISMARCK, ND 58103  
PHONE: 701-255-4441

OWNER:  
BIZ COMMUNICATIONS  
205 E. 10TH AVE. SUITE 200  
BISMARCK, ND 58103  
PHONE: 701-255-4442

## PLAT INFORMATION

LOT ACRES - 301.095 ACRES  
STREET ACRES - 64.654 ACRES  
TOTAL ACRES - 365.750 ACRES  
AREA IN NE 1/4 - 86.008 ACRES  
AREA IN SE 1/4 - 149.957 ACRES  
AREA IN SW 1/4 - 131.782 ACRES  
TOTAL ACRES - 367.750 ACRES

## PLAT LEGEND

- DENOTES MONUMENT FOUND
- DENOTES MONUMENT SET
- DENOTES EASEMENT
- DENOTES LOT LINE
- DENOTES EASEMENT LINE
- DENOTES NON-ACCESS LINE

## LOT INFORMATION

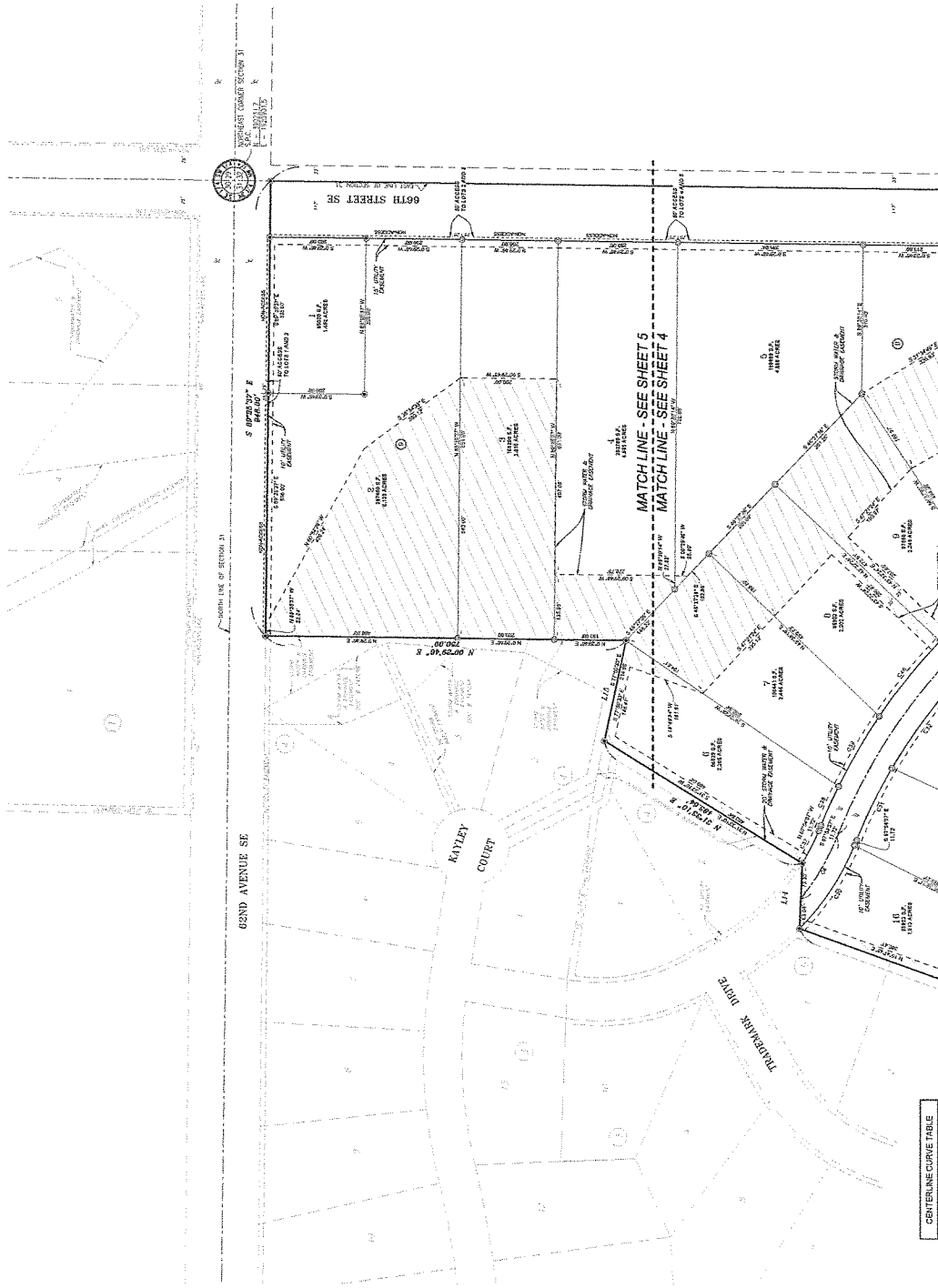
161 LOTS IN 9 BLOCKS  
ZONING REQUEST  
CURRENT ZONING - A  
REQUESTED ZONING - RR



150' SCALE  
0 100 200 FEET

DATE: MAY 2011  
TOPOGRAPHICAL SURVEY DATE: FALL 2003  
TOPOGRAPHICAL SURVEY DATE: FALL 2009  
HORIZONTAL DATUM: S.P.C. SYSTEM  
VERTICAL DATUM: NAVD 83 (ADJUSTED 88)  
UNITS: US FEET  
BENCHMARK: CERTICAL DATUM: MGD BP  
BENCHMARK ELEVATION: 1714.35

Kadrian  
Lee &  
Jackson  
Engineers Surveyors  
P.L.L.C.



CENTRAL CURVE TABLE			
STATION	CHORD	ANGLE	DELTA
C1	10.00	100.00	9.00
C2	10.00	100.00	9.00
C3	10.00	100.00	9.00
C4	10.00	100.00	9.00
C5	10.00	100.00	9.00
C6	10.00	100.00	9.00
C7	10.00	100.00	9.00
C8	10.00	100.00	9.00
C9	10.00	100.00	9.00
C10	10.00	100.00	9.00
C11	10.00	100.00	9.00
C12	10.00	100.00	9.00
C13	10.00	100.00	9.00
C14	10.00	100.00	9.00
C15	10.00	100.00	9.00
C16	10.00	100.00	9.00
C17	10.00	100.00	9.00
C18	10.00	100.00	9.00
C19	10.00	100.00	9.00
C20	10.00	100.00	9.00
C21	10.00	100.00	9.00
C22	10.00	100.00	9.00
C23	10.00	100.00	9.00
C24	10.00	100.00	9.00
C25	10.00	100.00	9.00
C26	10.00	100.00	9.00
C27	10.00	100.00	9.00
C28	10.00	100.00	9.00
C29	10.00	100.00	9.00
C30	10.00	100.00	9.00
C31	10.00	100.00	9.00
C32	10.00	100.00	9.00
C33	10.00	100.00	9.00
C34	10.00	100.00	9.00
C35	10.00	100.00	9.00
C36	10.00	100.00	9.00
C37	10.00	100.00	9.00
C38	10.00	100.00	9.00
C39	10.00	100.00	9.00
C40	10.00	100.00	9.00
C41	10.00	100.00	9.00
C42	10.00	100.00	9.00
C43	10.00	100.00	9.00
C44	10.00	100.00	9.00
C45	10.00	100.00	9.00

LOT CURVE TABLE			
STATION	CHORD	ANGLE	DELTA
C1	10.00	100.00	9.00
C2	10.00	100.00	9.00
C3	10.00	100.00	9.00
C4	10.00	100.00	9.00
C5	10.00	100.00	9.00
C6	10.00	100.00	9.00
C7	10.00	100.00	9.00
C8	10.00	100.00	9.00
C9	10.00	100.00	9.00
C10	10.00	100.00	9.00
C11	10.00	100.00	9.00
C12	10.00	100.00	9.00
C13	10.00	100.00	9.00
C14	10.00	100.00	9.00
C15	10.00	100.00	9.00
C16	10.00	100.00	9.00
C17	10.00	100.00	9.00
C18	10.00	100.00	9.00
C19	10.00	100.00	9.00
C20	10.00	100.00	9.00
C21	10.00	100.00	9.00
C22	10.00	100.00	9.00
C23	10.00	100.00	9.00
C24	10.00	100.00	9.00
C25	10.00	100.00	9.00
C26	10.00	100.00	9.00
C27	10.00	100.00	9.00
C28	10.00	100.00	9.00
C29	10.00	100.00	9.00
C30	10.00	100.00	9.00
C31	10.00	100.00	9.00
C32	10.00	100.00	9.00
C33	10.00	100.00	9.00
C34	10.00	100.00	9.00
C35	10.00	100.00	9.00
C36	10.00	100.00	9.00
C37	10.00	100.00	9.00
C38	10.00	100.00	9.00
C39	10.00	100.00	9.00
C40	10.00	100.00	9.00
C41	10.00	100.00	9.00
C42	10.00	100.00	9.00
C43	10.00	100.00	9.00
C44	10.00	100.00	9.00
C45	10.00	100.00	9.00

LOT CURVE TABLE			
STATION	CHORD	ANGLE	DELTA
C1	10.00	100.00	9.00
C2	10.00	100.00	9.00
C3	10.00	100.00	9.00
C4	10.00	100.00	9.00
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C35	10.00	100.00	9.00
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C37	10.00	100.00	9.00
C38	10.00	100.00	9.00
C39	10.00	100.00	9.00
C40	10.00	100.00	9.00
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C43	10.00	100.00	9.00
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C45	10.00	100.00	9.00

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C35	10.00	100.00	9.00
C36	10.00	100.00	9.00
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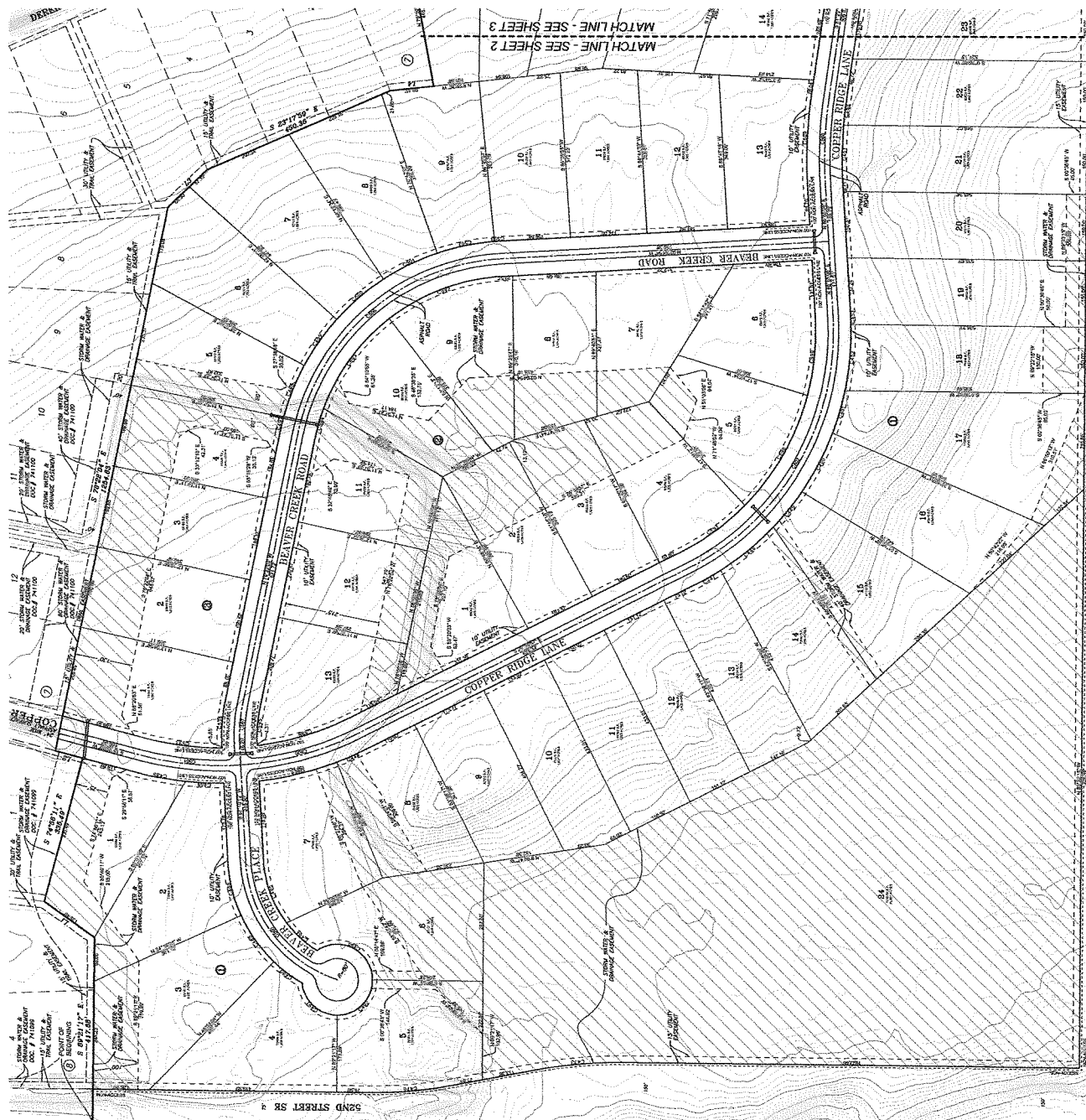




**OWNER:**  
LANDCORE, LLC.  
PO BOX 1437  
BISMARCK, ND 58502-1437  
PHONE 701-222-4441

PRELIMINARY PLAT  
**COPPER RIDGE 3RD SUBDIVISION**

A PORTION OF THE NE  $\frac{1}{4}$ , A PORTION OF THE SE  $\frac{1}{4}$ , A PORTION OF THE SW  $\frac{1}{4}$ ; TOGETHER WITH TRACT A OF THE NE  $\frac{1}{4}$ , ALL IN SECTION 31, TOWNSHIP 138 NORTH, RANGE 79 WEST, BURLEIGH COUNTY, NORTH DAKOTA



### PLAT LEGEND

## BOUNDARY DIMENSION

P-RIGHT-OF-WAY OR BLOCK LINE



	P=LOT=DM	P=LOT=NUMBER
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ADV PROPERTY E-LOT-NUMBER  
E-EAS-SEQUENT

**E-SECTION-TWO**


**E-OVERLOAD POWER**

NON-ACCESS LINE

EXISTING	PROPOSED	P-STREET NAME
		

		CULVERT	
		DRAINAGE	
6	2	BLOCK/LOT NUMBER	NATION NUMBER

1. (1) (2) (3) (4) (5)  
 2. (1) (2) (3) (4) (5)  
 3. (1) (2) (3) (4) (5)  
 4. (1) (2) (3) (4) (5)  
 5. (1) (2) (3) (4) (5)  
 6. (1) (2) (3) (4) (5)  
 7. (1) (2) (3) (4) (5)  
 8. (1) (2) (3) (4) (5)  
 9. (1) (2) (3) (4) (5)  
 10. (1) (2) (3) (4) (5)

0267033298		NSF
	-----	
	FIELD NUMBER	
	PROPOSED STORENUMBER	

 ORANGE EASEMENT  
 EXISTING BUILDING

**AT INFORMATION**

NUMBER OF LOTS: 161  
LOT ACREAGE -- 303.096 ACRES

B.O.W. ACREAGE - 54.554 ACRES  
TOTAL ACREAGE - 367.750 ACRES

Z



Age Group	1980	1985	1990	1995	2000	2005	2010	2015	2020
0-14	100	95	90	85	80	75	70	65	60
15-24	100	95	90	85	80	75	70	65	60
25-34	100	95	90	85	80	75	70	65	60
35-44	100	95	90	85	80	75	70	65	60
45-54	100	95	90	85	80	75	70	65	60
55-64	100	95	90	85	80	75	70	65	60
65-74	100	95	90	85	80	75	70	65	60
75+	100	95	90	85	80	75	70	65	60

DATE: MARCH 2011

SALE

FEET

POGRAPHICAL SURVEY DATE: FALL 2003  
POGRAPHICAL SURVEY DATE: FALL 2009  
BASIS OF BEARING - S.P.C. SYSTEM

TOPOGRAPHIC DATUM NGVD 88  
BENCHMARK - GPS PT. 951-25  
BENCHMARK ELEVATION - 1714.56

Apr 14, 2017 = 1:16pm = d:\archive\140404-impex\_data\impex\_data\140414-17g\_P01.dwg

PRELIMINARY PLAT  
COPPER RIDGE 3RD SUBDIVISION

A PORTION OF THE NE  $\frac{1}{4}$ , A PORTION OF THE SE  $\frac{1}{4}$ , A PORTION OF THE SW  $\frac{1}{4}$ ; TOGETHER WITH TRACT A OF THE NE  $\frac{1}{4}$ , ALL IN SECTION 31, TOWNSHIP 138 NORTH, RANGE 79 WEST, BURLEIGH COUNTY, NORTH DAKOTA

**ENGINEER/SURVEYOR**  
NORMAN, LEE & JACKSON, INC.  
128 500 LINE DRIVE  
SMARCK, NORTH DAKOTA 58501  
PHONE 701-353-8400

### PLAT LEGEND

### BOUNDARY DIMENSION

RIGHT-OF-WAY OR BLOCK LINE

**P-CASEMENT**

PROPERTY \_\_\_\_\_  
E = 1, 2, 3 = NUMBER \_\_\_\_\_

**IX-1-NONTEXT**

NON-ACCESS LINE

P-STREET NAME

2 BLOCK/LOT NUMBERS

DATE	TIME	LOCATION
10/10/2010	10:00	GRAND ROADWAY

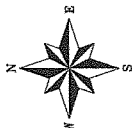
PAVED ROADWAY

PROPOSED HIGHWAY  
& DRAINAGE EASEMENT

### **PLAT INFORMATION**

NUMBER OF LOTS: 101  
LOT ACREAGE = 303.098 ACRES

= R.O.W. ACREAGE = 64.654 ACRES  
 - TOTAL ACREAGE = 367.750 ACRES



A horizontal scale bar with markings at 0, 100, and 200 feet. The text "SCALE" is written vertically below the bar, and "FEET" is written vertically above the bar.

DATE: MARCH 2011  
 TOPOGRAPHICAL SURVEY DATE: FALL 2003  
 TOPOGRAPHICAL SURVEY DATE: FALL 2009  
 BASIS OF BEARING -- S.P.C. SYSTEM  
 TOPOGRAPHIC DATUM NGVD 88  
 BENCHMARK -- GPS PT. B51-25  
 BENCHMARK ELEVATION -- 1714.56

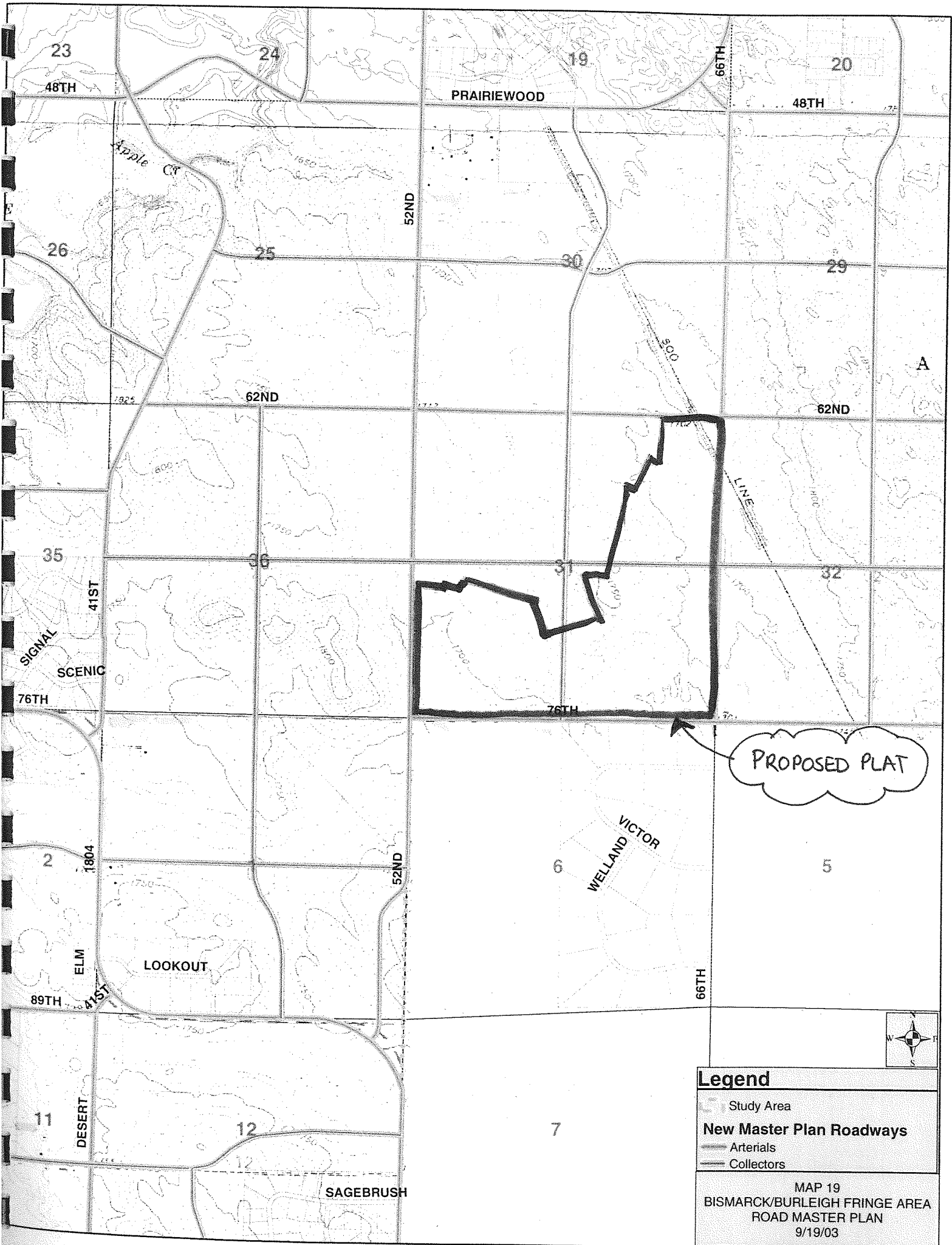
**Kadmas  
Lee &  
Jackson**  
Engineers Surveyors

1105 WEST HURLEIGH AVE.  
BISMARCK, ND 58504

SHEET 3 OF 5







PROPOSED PLAT

**Legend**

- Study Area
- New Master Plan Roadways**
  - Arterials
  - Collectors

MAP 19  
BISMARCK/BURLEIGH FRINGE AREA  
ROAD MASTER PLAN  
9/19/03

# Kadrmas Lee & Jackson

Engineers Surveyors  
Planners

RECEIVED  
MAR 25 2011

March 25, 2011

Carl D. Hockenstad  
City/County Planning Department  
221 North 5th Street, 2nd Floor  
Bismarck, ND 58506-5503

Re: Copper Ridge 3rd Subdivision Replat

Dear Carl:

On behalf of Landcore, LLC, we respectfully request waivers from the following items contained in the City of Bismarck's Growth Management Plan:

1. **Use of Cul-De-Sac's:** Due to the topographic features and natural aesthetics of this property, utilization of cul-de-sacs will improve land use and will create a more desirable, private residential community. A waiver was previously approved to allow cul-de-sacs under the original Copper Ridge plats that this plat is replacing.
2. **Minimum Lot Width:** Per the City of Bismarck's subdivision design criteria, a minimum lot width of 150 feet is required in Rural Residential subdivisions. Lots located on cul-de-sacs or along streets that encompass a curvilinear design become extremely large along the rear lot line when required to adhere to this guideline. A list of mean lot width for lots that do not meet the minimum lot width at the front or rear lot line is provided below. A waiver was previously approved in the original Copper Ridge plats allowing lots along a street curves and cul-de-sacs to be less than 150' wide.

MEAN LOT WIDTHS				
LOT	BLOCK	FRONT WIDTH	REAR WIDTH	MEAN WIDTH
3	1	128.83	274.88	201.86
13	1	144.98	156.89	150.94
15	1	102.81	286.38	194.60
17	1	100.10	312.55	206.33
5	2	289.64	124.03	206.84
7	2	312.22	122.52	217.37
9	2	299.28	55.84	177.56
10	2	255.77	126.33	191.05
13	2	290.30	115.89	203.10
5	3	126.76	235.37	181.07
6	3	127.64	233.16	180.40

701 355 8400

128 Soo Line Drive

PO Box 1157

Bismarck, ND 58502-1157

Fax 701 355 8781

kljeng.com

MEAN LOT WIDTHS-continued				
LOT	BLOCK	FRONT WIDTH	REAR WIDTH	MEAN WIDTH
7	3	140.30	254.76	197.53
8	3	135.62	228.16	181.89
9	3	132.08	222.30	177.19
5	4	123.34	323.32	223.33
6	4	59.24	402.29	230.77
7	4	65.41	428.25	246.83
8	4	132.50	317.00	224.75
13	4	220.37	144.71	182.54
7	5	82.92	320.28	201.60
8	5	59.02	336.50	197.76
9	5	65.00	320.06	192.53
20	5	145.21	175.29	160.25
21	5	135.70	175.84	155.77
22	5	145.29	211.62	178.46
3	6	163.22	136.80	150.01
4	6	187.52	135.33	161.43
11	6	107.87	632.82	370.35
12	6	90.06	409.75	249.91
4	7	125.22	243.56	184.39
7	7	405.45	104.61	255.03
2	8	120.57	307.99	214.28
3	8	54.16	280.68	167.42
4	8	67.09	371.03	219.06
5	8	59.64	338.03	198.86
7	8	137.60	297.66	217.63
8	8	274.82	141.30	208.06
13	8	284.95	137.36	211.16
4	9	149.75	261.26	205.51

3. **Maximum Block Length:** Based on the natural topography of the area and drainage considerations, we request a waiver from the maximum block length as indicated within the proposed development. A waiver was previously approved under original Copper Ridge plats.

Please feel free to contact me at 701-355-8437 if you have any comments or questions

Sincerely,

Kadrmass, Lee & Jackson, Inc.



Brad Krogstad, PE

Project Manager

**Kadrmass**  
**Lee &**  
**Jackson**  
 Engineers Surveyors  
 Planners

CC: Chad Wachter, Landcore, LLC  
 Project #: 1606446

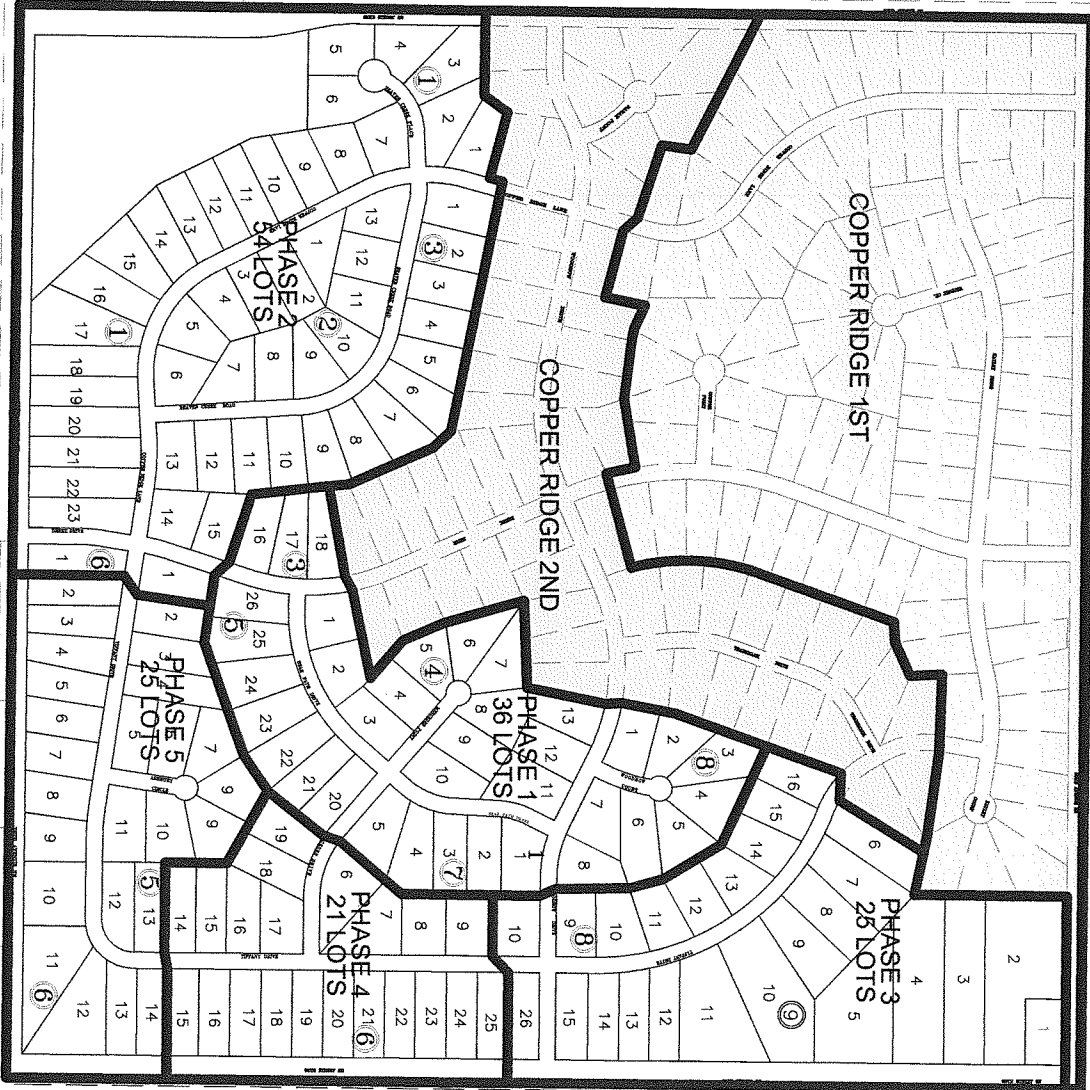
Copper Ridge 3rd Subdivision

Phasing

6/7/2011

Phase 1		Phase 2		Phase 3		Phase 4		Phase 5	
Block	Lot	Block	Lot	Block	Lot	Block	Lot	Block	Lot
3	16	1	1	6	26	5	14		2
	17		2	7	10		15		3
	18		3	8	9		16		4
4	4		10		17		5		
	2		11		18		6		
	3		12		19	7			
	4		13		6	15	8		
	5		14			16	9		
	6		15			17	10		
	7		16			18	11		
	8		1	19		12			
	9		2	20	13				
	10		3	21	6	2			
	11		4	22		3			
	12		5	23		4			
	13		6	24		5			
5	20		7	25		6			
	21		8	7		6	7		
	22		9			7	8		
	23		10			8	9		
	24		11			9	10		
	25		12	Total Lots		21	11		
	26		13				12		
7	1	24	14				13		
	2	1	15				14		
	3	2	Total Lots				Total Lots	25	
	4	3							
	5	4							
8	1	5							
	2	6							
	3	7							
	4	8							
	5	9							
	6	10							
	7	11							
	8	12							
Total Lots			13						
			1						
			2						
			3						
			4						
			5						
			6						
			7						
			8						
			9						
			10						
			11						
			12						
			13						
			14						
			15						
		5							
		6							
		Total Lots							54





Jun 07, 2011 - 2:47pm - C:\Users\WIKETE\1\AppData\Local\Temp\KadmasLee\1644\Phasing Diagram.dwg

# **COPPER RIDGE 3RD SUBDIVISION** **LANDCORE, LLC** BISMARCK, NORTH DAKOTA

**Kadmas**  
**Lee &**  
**Jackson**  
 Professional Surveyors  
 Bismarck, North Dakota  
 1201 3RD LANE SW  
 BISMARCK, ND 58103  
 WWW.KADMASLEEJACKSON.COM  
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 ALL RIGHTS RESERVED

NO.	REVISIONS:

Drawn By:	ADW
Checked By:	1604446
Project:	1604446
Date:	6/7/2011

PHASING DIAGRAM

Kadrmass  
Lee &  
Jackson

Engineers Surveyors  
Planners

RECEIVED

MAY 19 2011

May 19, 2011

Kim Lee  
City of Bismarck Planning Department  
221 North 5th Street, 2nd Floor  
Bismarck, ND 58506-5503

Re: Copper Ridge 3rd Subdivision,  
FAA Advisory Circular AC 150/5200-33A Requirements

Dear Kim:

This letter is in response to plat review questions presented regarding retention times within the Copper Ridge 3<sup>rd</sup> Subdivision stormwater ponds as they relate to FAA Advisory Circular AC 150/5200-33A.

The existing topography of Copper Ridge is undulating and contains several depression storage areas. The proposed retention ponds within Copper Ridge 3<sup>rd</sup> Subdivision will be constructed by modifying existing depression storage areas and replacing them with similar volumes.

According to the NRCS Soil Survey the Saturated Hydraulic Conductivity (Ksat) for the existing soils range from approximately 9 to 92 micro-m/sec, or 0.1 to 1.0 ft/hour. Assuming a Ksat of 0.20 ft/hr, all proposed ponds will drain within 48 hours for the design storm.

Calculations performed in the approved Stormwater Management (SWMP) for Copper Ridge 2<sup>nd</sup> and 3<sup>rd</sup> Subdivisions were conservative and did not account for any hydraulic conductivity. Therefore, retention times indicated in the SWMP are conservative, and correspondingly longer than predicted for the actual conditions.

In summary, development of Copper Ridge 3<sup>rd</sup> subdivision will not create new habitat for hazardous wildlife. According to the calculations, all proposed ponds will drain within 48-hours and are therefore technically detention ponds which are not subject to FAA Circular requirements.

Please feel free to contact me at 701-355-8437 if you have any comments or questions.

Sincerely,

Kadrmass, Lee & Jackson, Inc.



Brad Krogstad, PE  
Project Manager

701 355 8400

128 Soo Line Drive

PO Box 1157

Bismarck, ND 58502-1157

Fax 701 355 8781

kljeng.com

CC: Chad Wachter, Landcore, LLC  
Project #: 1606446

## BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

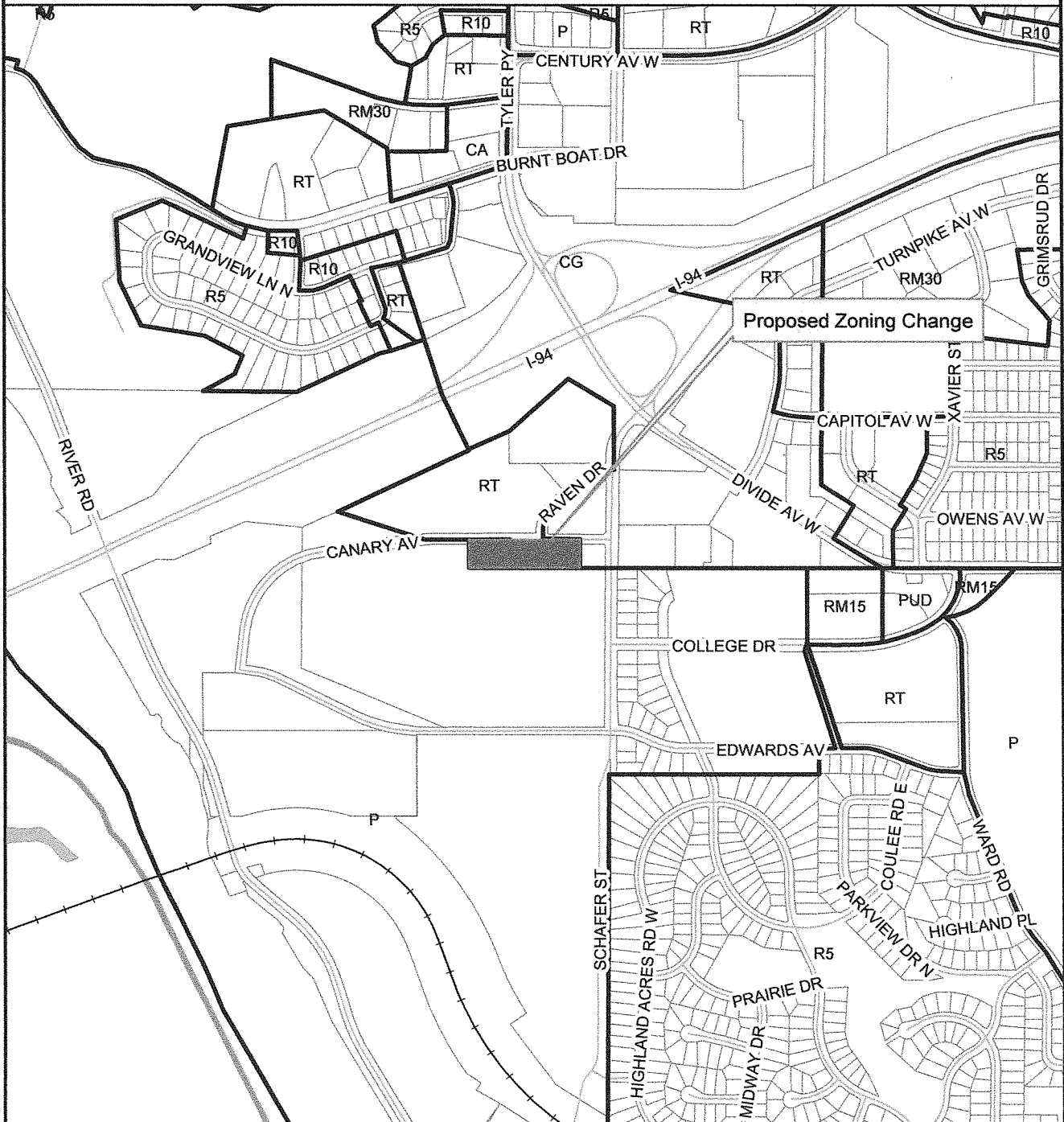
<b>BACKGROUND:</b>		
<b>Title:</b> Part of the SE¼ of Section 30, T139N-R80W/Hay Creek Township – Zoning Change (RT & R5 to P)		
<b>Status:</b> Planning Commission – Public Hearing	<b>Date:</b> June 22, 2011	
<b>Owner(s):</b> Bismarck State College	<b>Engineer:</b> None	
<b>Reason for Request:</b> City-initiated zoning change to make the zoning for the property consistent with the rest of the Bismarck State College campus.		
<b>Location:</b> In northwest Bismarck on the campus of Bismarck State College, along the south side of Canary Avenue approximately 200-feet west of Schafer Street (an unplatted portion in SE¼ of Section 30, T139N-R80W/Hay Creek Township).		
<b>Project Size:</b> 2.95 acres	<b>Number of Lots:</b> Part of 1 parcel	
<b>EXISTING CONDITIONS:</b>		
<b>Land Use:</b> BSC Campus/BSC Aquatic & Wellness Center	<b>PROPOSED CONDITIONS:</b>	
<b>Zoning:</b> R5 – Residential RT – Residential	<b>Land Use:</b> BSC Campus/BSC Aquatic & Wellness Center  <b>Zoning:</b> P-Public	
<b>Uses Allowed:</b> R5 – Single and two-family residential RT – Multi-family dwellings and office uses	<b>Uses Allowed:</b> Public uses	
<b>Maximum Density Allowed:</b> R5 – 5 units per acre RT – 30 units per acre	<b>Maximum Density Allowed:</b> N/A	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> Pre-1980	<b>Platted:</b> N/A	<b>Annexed:</b> Pre-1980
<b>FINDINGS:</b>		
<ol style="list-style-type: none"> <li>1. This area is outside of the area covered by the Bismarck-Mandan Regional Land Use Plan.</li> <li>2. The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include the Bismarck State College campus, the Frances Leach High Prairie Arts and Science Complex, and office buildings.</li> <li>3. The property is already annexed; therefore the proposed zoning change would not place an undue burden on public services.</li> <li>4. The proposed zoning change would not adversely affect property in the vicinity.</li> </ol> <p style="text-align: right;"><i>continued...</i></p>		

5. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance.
6. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

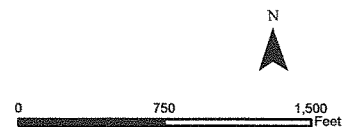
Based on the above findings, staff recommends approval of the zoning change from RT-Residential and R5-Residential to P-Public for part of the SE $\frac{1}{4}$  of Section 30, T139N-R80W/Hay Creek Township more specifically described as the South 180 feet of the West 715.29 feet of the East 924 feet of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 30.

# **Proposed Zoning Change (R5 & RT to P)** **Part of the SE1/4 of Sec. 30, T139N-R80W/Hay Creek Township**



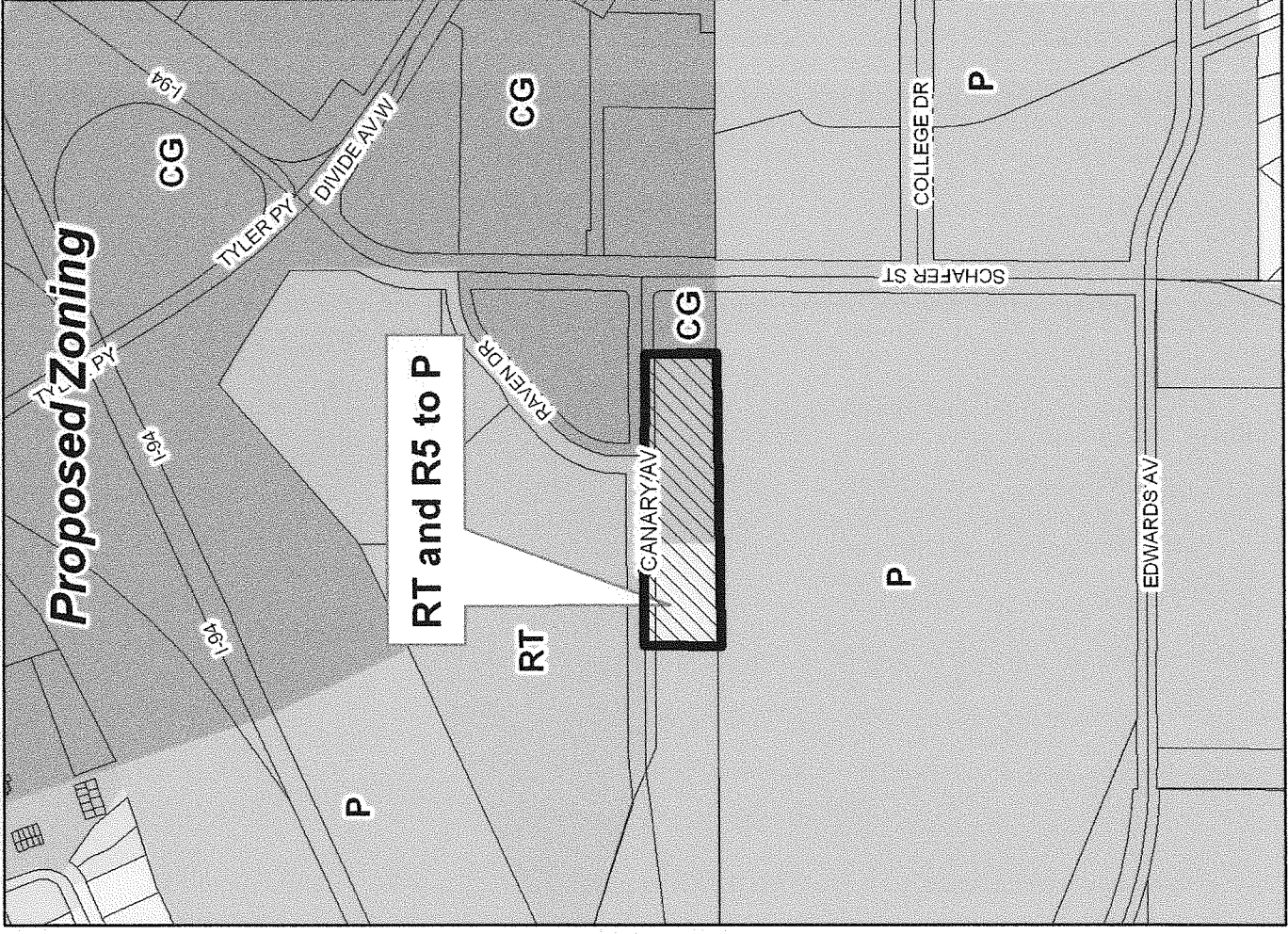
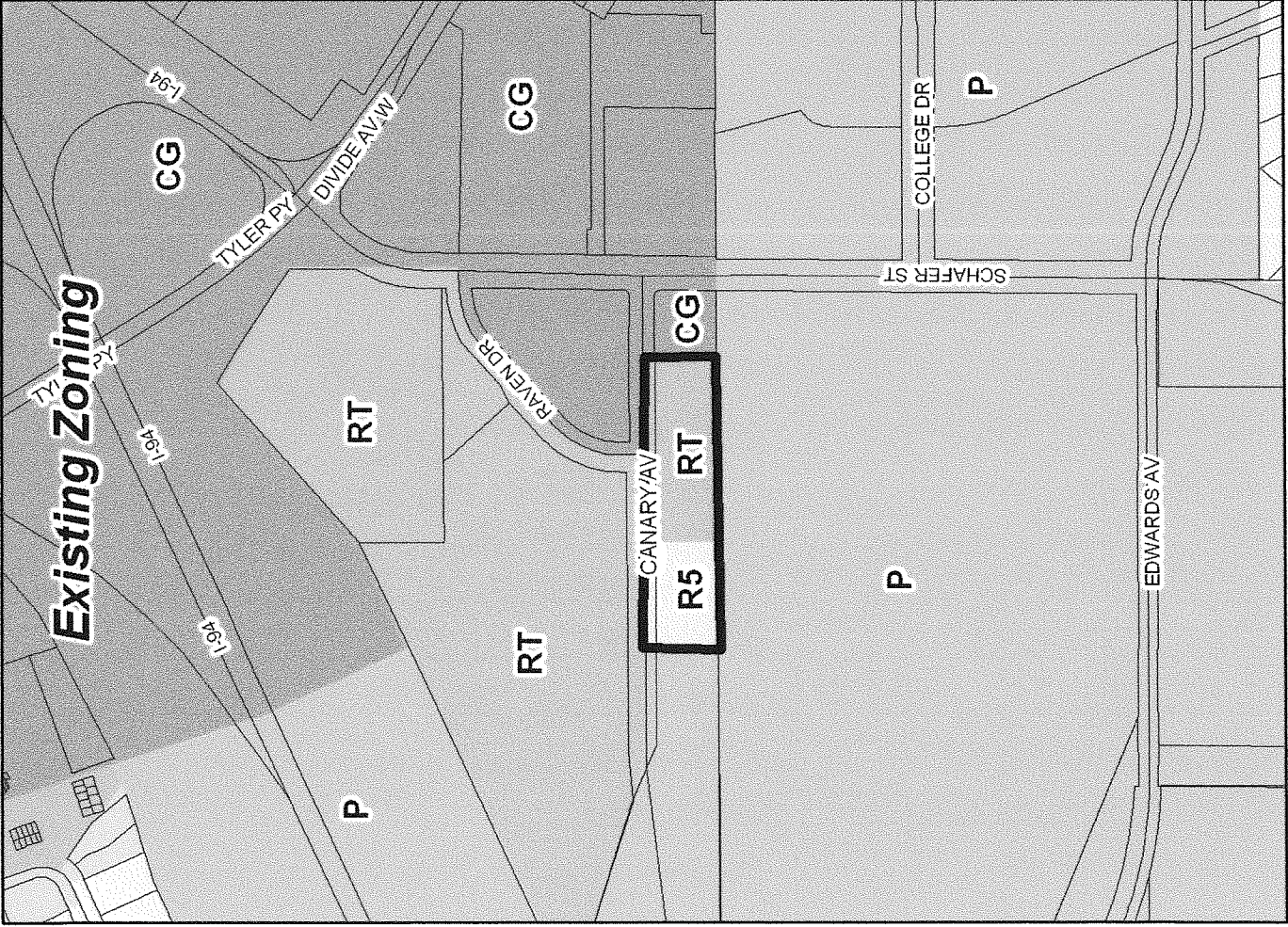
DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
 Map was Updated/Created: May 17, 2011 (kdg)

Source: City of Bismarck





# Part of the SE1/4 of Section 30 - Hay Creek Township



## BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

<b>BACKGROUND:</b>		
<b>Title:</b> Part of Lot 10, Block 1, Register Commercial Park 1st Addition – Special Use Permit (Day Care Center)		
<b>Status:</b> Planning Commission – Public Hearing	<b>Date:</b> June 22, 2011	
<b>Owner(s):</b> Wade French & Brandi Lynch (Owners) Exploring Minds Development Center (Applicant)	<b>Engineer:</b> None	
<b>Reason for Request:</b> The applicants wish to obtain approval for a day care facility.		
<b>Location:</b> The property is located at 928 East Interstate Avenue along the north side of the roadway just east of North 9 <sup>th</sup> Street. (Part of Lot 10, Block 1, Register Commercial Park 1 <sup>st</sup> Addition).		
<b>Project Size:</b> 15,600 sf (lot)/5,775 sf (building)	<b>Number of Lots:</b> Part of 1 lot in 1 block	
<b>EXISTING CONDITIONS:</b>		
<b>Land Use:</b> Vacant building	<b>Land Use:</b> Day care center	
<b>Zoning:</b> CG-Commercial	<b>Zoning:</b> CG-Commercial	
<b>Uses Allowed:</b> General commercial & day-care centers with a special use permit	<b>Uses Allowed:</b> General commercial & day-care centers with a special use permit.	
<b>Maximum Density Allowed:</b> CG – 42 units per acre	<b>Maximum Density Allowed:</b> CG – 42 units per acre	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> Pre-1980	<b>Platted:</b> Pre-1980	<b>Annexed:</b> Pre-1980
<b>ADDITIONAL INFORMATION:</b>		
<ol style="list-style-type: none"> <li>1. The day care is intended accommodate up to 110 children ranging in age from 0-12 years.</li> <li>2. The applicants have been working with the Building Official to satisfy all the requirements necessary to meet the guidelines set forth to establish and operate a day-care facility. In particular, the appropriate accommodations have been made to allow for adequate outdoor play space for the children, appropriate parking and ADA compliant restroom facilities.</li> <li>3. Section 14-03-08(4)(r) of the City Code of Ordinances outlines the requirements for a day care center. A copy of this section of the City Code is attached.</li> </ol>		
<b>FINDINGS:</b>		
<ol style="list-style-type: none"> <li>1. The proposed special use complies with all applicable provision of the zoning ordinance and is consistent with the general intent and purpose of the zoning ordinance.</li> <li>2. The proposed special use would not adversely affect the public health, safety and general welfare.</li> <li>3. The proposed special use would not be detrimental to the use or development of adjacent properties.</li> </ol>		
<i>continued...</i>		

4. The use would be designed, operated and maintained in a manner that is compatible with the appearance of the existing character of the surrounding area.
5. Adequate public facilities and services are in place.
6. The use would not cause a negative cumulative effect, when considered in conjunction with the cumulative effect of other uses in the immediate vicinity.
7. Adequate measures have been taken to minimize traffic congestion in the public streets and provide for appropriate on-site circulation of traffic. In particular, adequate off-street parking would be provided.

**RECOMMENDATION:**

Based on the above findings, staff recommends approval of the Special Use Permit to allow the operation of a day care facility on part of Lot 10, Block 1, Register Commercial Park 1st Addition (928 East Interstate Avenue) with the following conditions:

1. The configuration of the day care facility closely resembles the proposed layout included with the application.
2. The number of children allowed to occupy the day care facility be limited to a maximum of 110.
3. All the required building permits must be obtained prior to commencement of the building renovation project.
4. The license for the day care center will not be issued until such time that all building and fire codes have been met.
5. The special use permit must be put into use within twenty-four (24) months from (the date of approval) or it shall lapse.



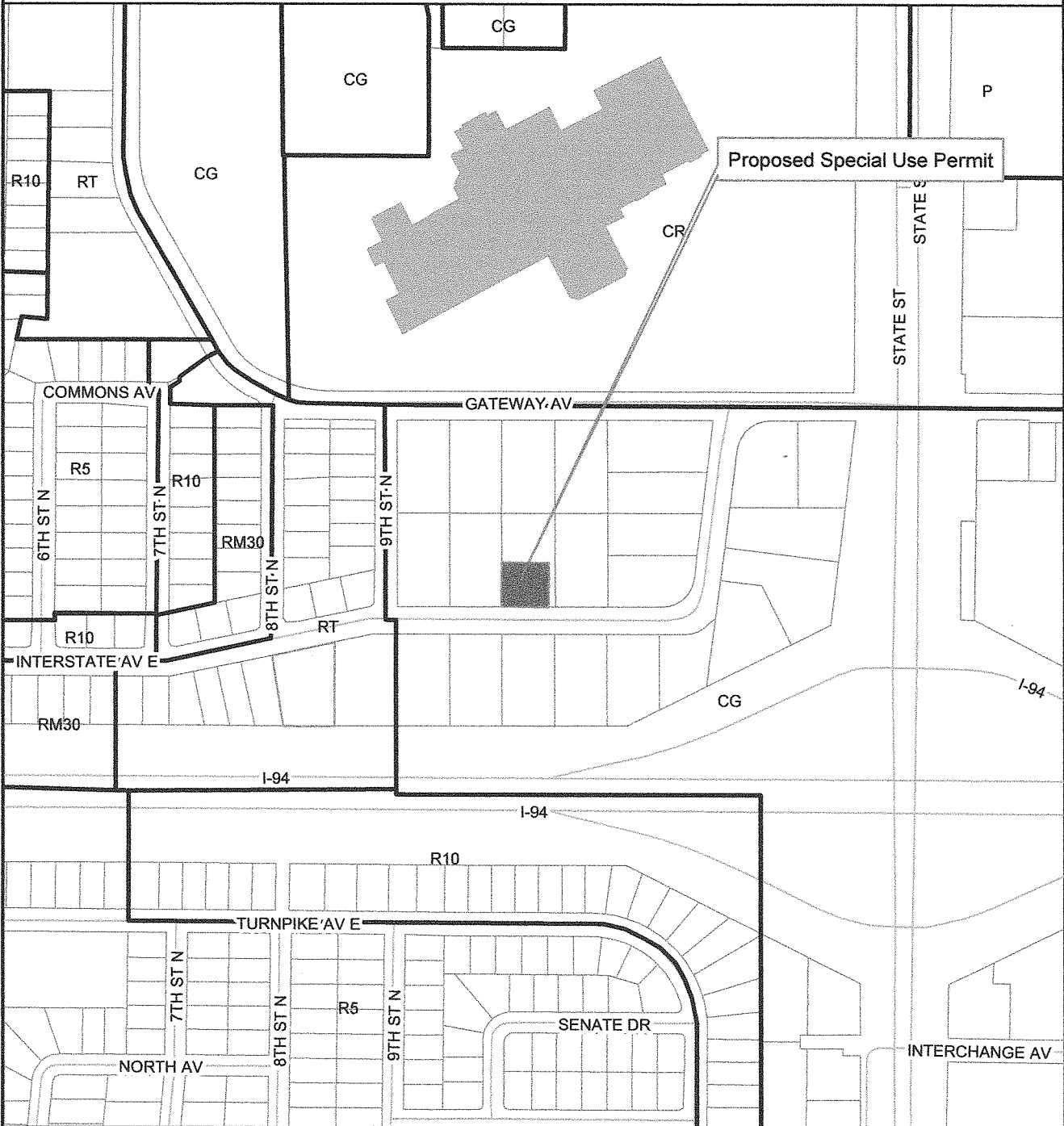
**Day-Care Center**

14-03-08(4)(r)

r. Day-care Center. Day-care centers may be permitted as a special use in all zoning districts except RMH or MB districts, provided:

- 1) Each building shall provide not less than thirty-five (35) square feet of interior recreation area per client. Work areas, office areas, and other areas not designed for use of the clients may not be counted in this computation.
- 2) Each lot shall provide an outdoor recreation area of not less than forty (40) square feet per client. The recreation area shall be fenced and located behind the building setback lines. Recreation areas shall be required only for those clients under twelve (12) years of age.
- 3) Adequate off street parking shall be provided at the following ratio: One space for each two employees and one space for each ten (10) clients.
- 4) Every sleeping room shall have at least one openable window or door approved for emergency escape or rescue.
- 5) Day-care centers shall conform to the Uniform Building Code and The Uniform Fire Codes which have been adopted by the City of Bismarck.

# **Proposed Special Use Permit S120' of the W130' of Lot 10, Block 1, Register Commercial Park First Addition**



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: May 24, 2011 (kdg)

Source: City of Bismarck

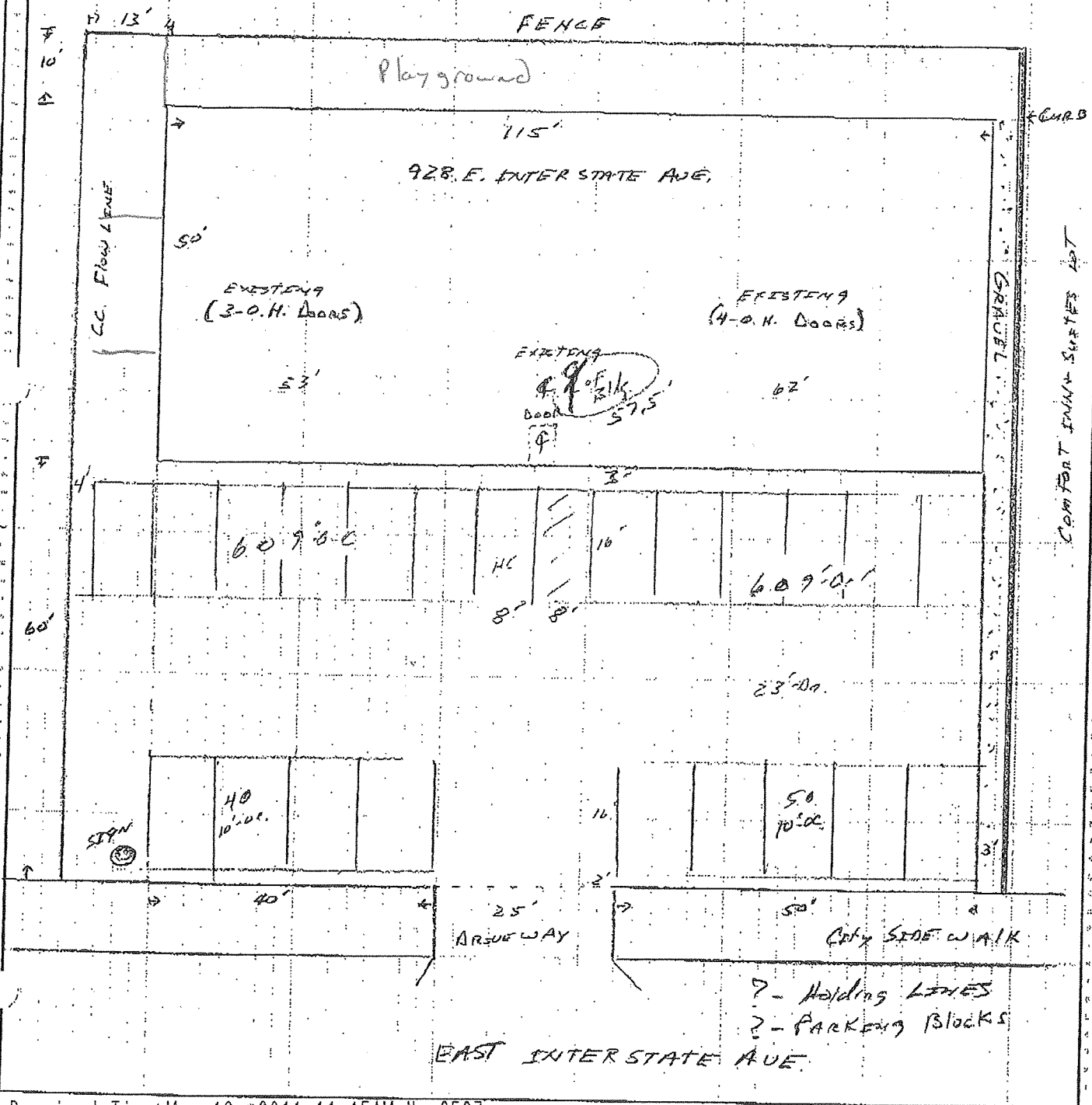


0 325 650 Feet

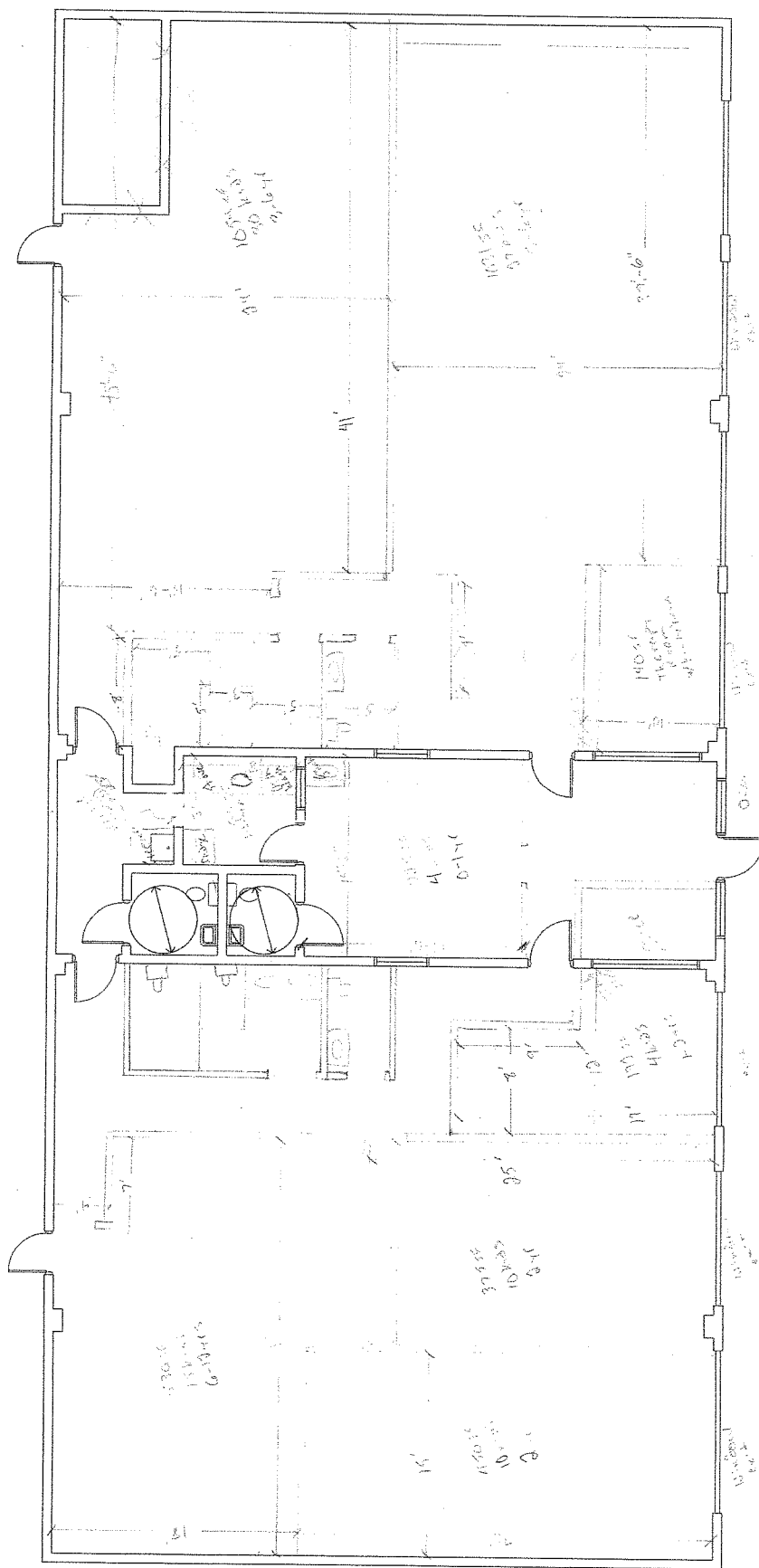
# COMFORT INN & SUITES LOT

RECEIVED


MAY 19 2011



Received Time May. 18. 2011 11:15AM No. 3537



= Tile or Vinyl floor  
= All other areas are carpet

	<b>INTERIOR AVENUES</b> 600 S 2ND STREET BISMARCK, ND 58503 701.226.4085		<b>PROJECT NAME:</b> WADE FRENCH 920 E. INTERSTATE AVENUE BISMARCK, ND 58503		<b>DRAWING:</b> FLOOR PLAN SCALE: 1/8" = 1'-0"		<b>DRAWN BY:</b> KELLY NYSETH		<b>REVISION:</b> 5/24/11		<b>A.2</b>	

## BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

<b>BACKGROUND:</b>	
<b>Title:</b> SW¼ of SW¼ of Section 16, T139N-R79W/Gibbs Township – Special Use Permit (Roadway Maintenance Facility)	
<b>Status:</b> Planning Commission – Public Hearing	<b>Date:</b> June 22, 2011
<b>Owner(s):</b> Michael & David Esposito – owners Burleigh County Highway Dept - applicant	<b>Engineer:</b> N/A
<b>Reason for Request:</b> Allow development of a new County Highway Department office/garage building and several unheated garage/storage buildings. The proposed facility is intended to replace the existing facility on 52 <sup>nd</sup> Street NE.	
<b>Location:</b> Along the east side of 80 <sup>th</sup> Street NE north of 43 <sup>rd</sup> Avenue NE.	
<b>Project Size:</b> 40 acres	<b>Number of Lots:</b> One parcel
<b>EXISTING CONDITIONS:</b>	
<b>Land Use:</b> Agricultural	<b>Land Use:</b> Roadway Maintenance Facility
<b>Zoning:</b> A - Agricultural	<b>Zoning:</b> A - Agricultural
<b>Uses Allowed:</b> Agriculture and related uses. Roadway maintenance facility as special use.	<b>Uses Allowed:</b> Agriculture and related uses. Roadway maintenance facility as special use.
<b>Maximum Density Allowed:</b> 1 unit/40 acres	<b>Maximum Density Allowed:</b> 1 unit/40 acres
<b>PROPERTY HISTORY:</b>	
<b>Zoned:</b> 04/82 (County A to City A)	<b>Platted:</b> N/A
<b>ADDITIONAL INFORMATION:</b>	
<ol style="list-style-type: none"> <li>1. A roadway maintenance facility necessary for the provision of services by a governmental entity is allowed as a special use permit in the A – Agricultural district. Section 14-03-08 (4)(w) of the City Code of Ordinances outlines the provisions for such a use. A copy of this section is attached.</li> <li>2. Gibbs Township was notified of the request for a special use permit; however, a recommendation on the request has not been received from the Township.</li> </ol>	
<b>FINDINGS:</b>	
<ol style="list-style-type: none"> <li>1. The proposed use is in harmony with the purpose and intent of the zoning ordinance and the master plan of the City of Bismarck.</li> <li>2. The proposed special use would not adversely affect the public health, safety and general welfare.</li> <li>3. The proposed use would not be detrimental to the use or development of adjacent properties.</li> <li>4. The proposed use would comply with all special regulations established by Section 14-03-08 of the City Code of Ordinances, all provisions included in Section 14-03-08(4)(w) of the City Code of Ordinances, and all special conditions necessary for the safety and welfare of the public.</li> </ol>	

**RECOMMENDATION:**

Based on the above findings, staff recommends approval of the special use permit to allow a roadway maintenance facility necessary for the provision of services by a governmental entity to be located on the SW¼ of the SW¼ of Section 16, T139N-R79W/Gibbs Township, with the following conditions:

1. Development of the site shall generally conform to the site plan submitted with the application for a special use permit and shall be subject to the City's site plan review procedure.
2. The special use must be put into use within twenty-four (24) months from (the date of approval) or it shall lapse.

a professional structural engineer registered in the State of North Dakota.

w. Roadway Maintenance Facilities. Roadway maintenance facilities necessary for the provision of services by a governmental entity may be permitted in any A - Agricultural district as a special use provided:

1. The parcel meets the dimensional requirements for the A - Agricultural zoning district.

2. The parcel is located along an improved section line roadway or other roadway classified as an arterial.

3. The parcel is located at least 1/2 mile (2640 feet) from any residentially zoned property.

4. All proposed buildings will meet the setback requirements for the A - Agricultural zoning district.

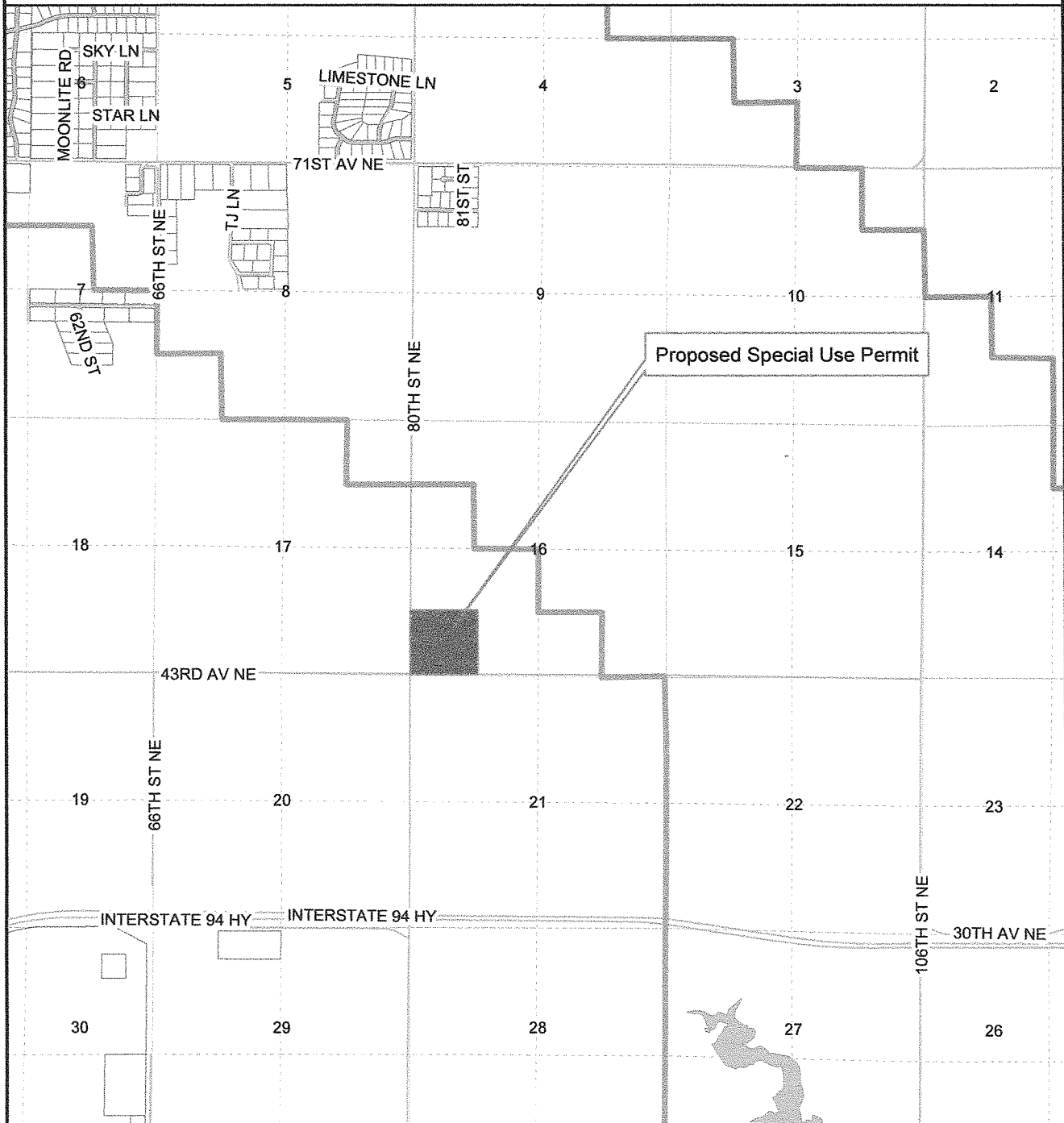
5. All exterior equipment and material storage areas will be set back no less than one hundred fifty (150) feet from a front property line and no less than seventy-five (75) feet from a side or rear property line.

6. A landscaped buffer yard is provided around the perimeter of the site to screen the operation from adjacent land uses. Said buffer yard shall be no less than fifty (50) feet in width and shall be densely planted in conjunction with site development in accordance with the requirements of Section 14-03-11 of the City Code of Ordinances (Landscaping and Screening).

7. A site plan is submitted showing the overall dimensions of the site, the location of specific activities, fences, landscaped buffer yards, parking areas, adjacent roadways and proposed access (ingress/egress).

8. A written narrative is submitted describing the operation of the facility, including fugitive dust management, run-off control and spill containment.

# **Proposed Special Use Permit** **SW1/4 of the SW1/4 of Sec. 16, T139N-R79W/Gibbs Twp.**



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
 Map was Updated/Created: May 24, 2011 (kdg)

Source: City of Bismarck



0 2,350 4,700  
 Feet



## Burleigh County Highway Department Garage

The Burleigh County Highway Department is responsible to provide a safe, well-maintained county road and bridge system that will ensure reliable and convenient access for Burleigh County residents, and to promote economic development of the area. The Highway Department maintains 1,484 miles of County and Township roads within the County, which includes 150 miles in over 200 rural housing subdivisions outside the city limits of Bismarck. Burleigh County also funds installation and maintenance of all culverts measuring 24" in diameter and larger located in defined public roads.

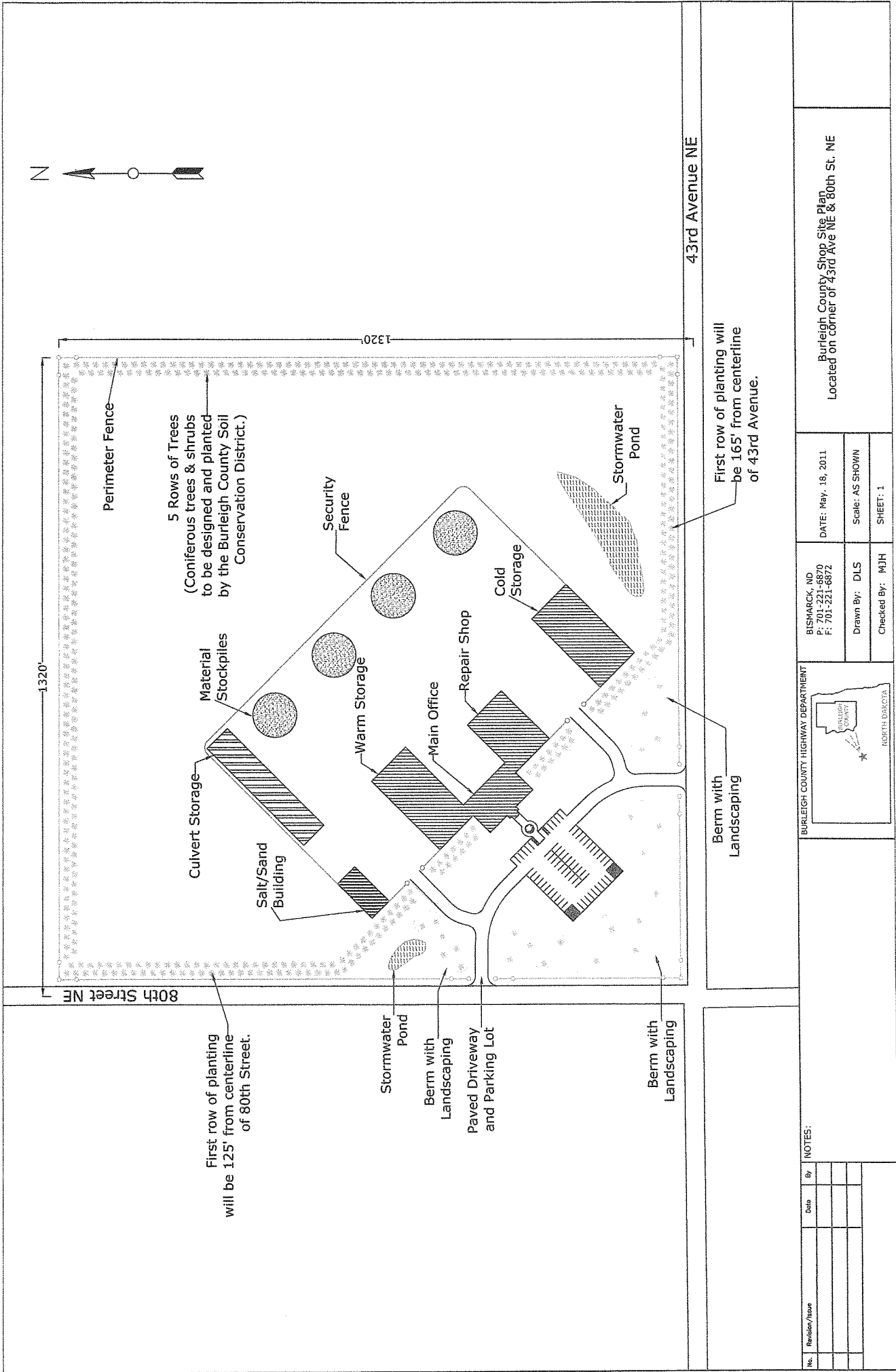
Our existing Bismarck shop was built in 1989 on the corner of Divide and 52<sup>nd</sup> Street. The recent boom in development in the area, coupled with our need to add both manpower and equipment to meet our required service level, has resulted in us outgrowing the existing garage. Our existing facility is located on 17 acres of the City of Bismarck landfill. This makes expansion problematic at best. It is the County's desire to move to a new site at a somewhat more rural location.

We currently have made an offer on a 40 acre parcel (SW1/4 of the SW1/4 of Section 16, T139N, and R79W) at the corner of 43<sup>rd</sup> Avenue NE and 80<sup>th</sup> Street NE contingent upon us obtaining a Special Use Permit. The parcel is zoned A-Agricultural and is bordered on improved section line roadways. The nearest residentially zoned property is approximately 1.5 miles from the site.

We have not yet completed our design, but we have included a draft site plan and other sketches for your reference. It does not appear that we will have any problems meeting any of the required setbacks for the buildings or material storage areas. The landscaping buffer will be designed to at least meet the City Code of Ordinances. Once a final design is completed, we will provide the City with a detailed site plan meeting your standards.

The facility will generally operate five days a week between the hours of 7:30 a.m. and 5:30 p.m. Since the nature of our operations is to clear roadways during inclement weather, we will from time to time be operating over the weekends and at other hours.

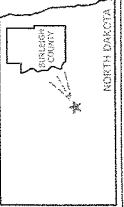
We will be putting up material stockpiles and monitoring fugitive dust leaving our site. If needed, to control fugitive dust, we will water the piles or apply chemical treatment to our stockpiles. Storm water ponds with best management practices and daily monitoring will be used to control storm water run-off and contain any type of material spills that take place at the site.



NOTES:

No.	Revision/Issue	Date	By

BURLEIGH COUNTY HIGHWAY DEPARTMENT

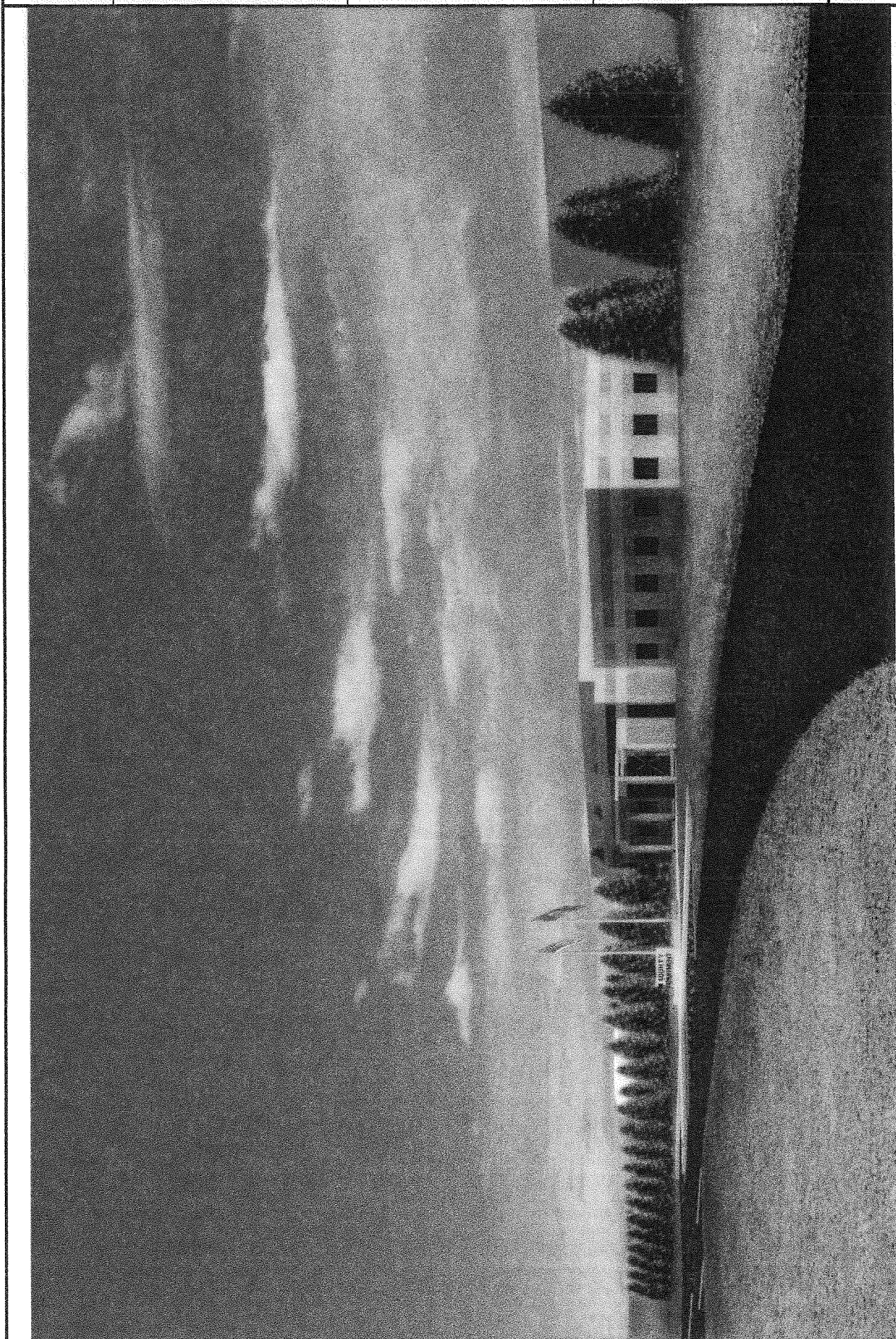


BISMARCK, ND  
P: 701-221-6870  
F: 701-221-6872

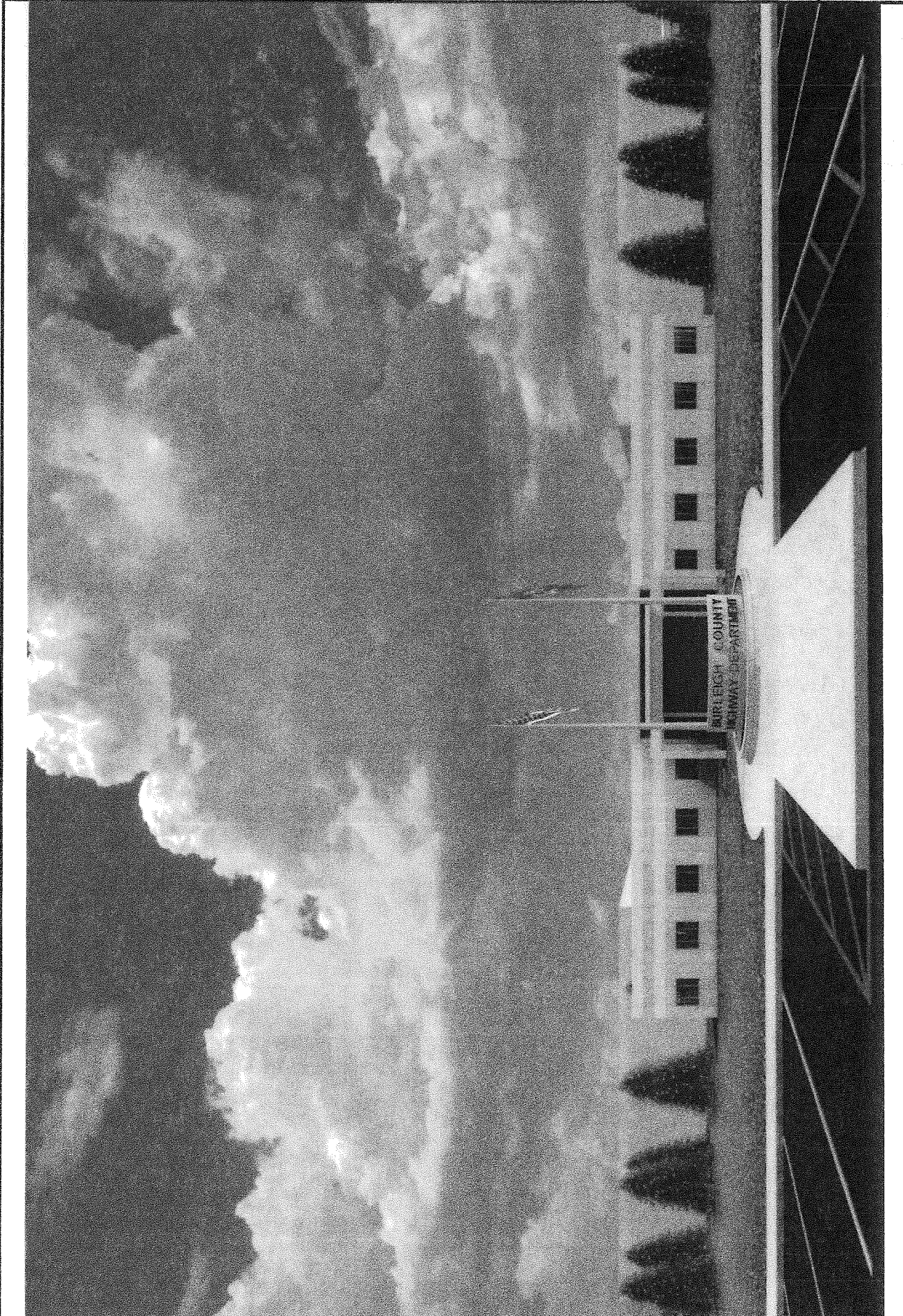
DATE: May, 18, 2011  
Scale: AS SHOWN  
SHEET: 1

Drawn By: DLS  
Checked By: MJH

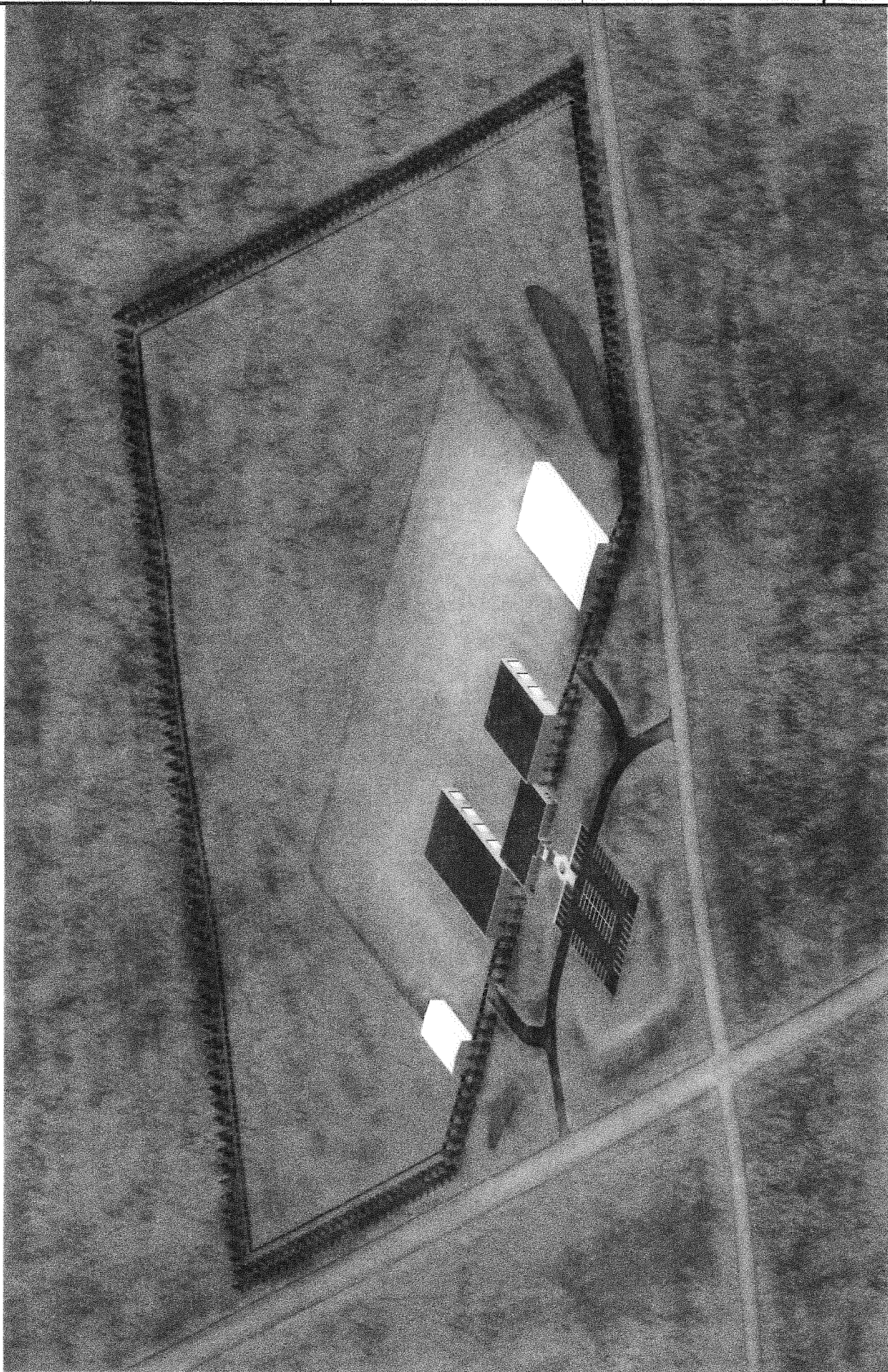
Burleigh County Shop Site Plan  
Located on corner of 43rd Ave NE & 80th St. NE











**CITY PLANNING & ZONING COMMISSION  
MEETING MINUTES  
May 25, 2011**

The Bismarck Planning & Zoning Commission met on May 25, 2011, at 5:00 p.m. in the Tom Baker Meeting Room in the City-County Office Building, 221 North 5<sup>th</sup> Street. Chairman Yeager presided.

Commissioners present were Mark Armstrong, Tom Atkinson, Mel Bullinger, Curt Juhala, Vernon Laning, Ken Selzler, John Warford and Wayne Yeager.

Commissioner Lisa Waldoch was absent.

Staff members present were Carl Hokenstad – Community Development Director, Gregg Greenquist – Planner, Jason Tomanek – Planner, Kimberley Gaffrey– Office Assistant III and Charlie Whitman – City Attorney.

Others present were Jake Axtman (Swenson Hagen & Co.) – 909 Basin Avenue and Brent Erickson (Kadmas Lee & Jackson) – 128 Soo Line Drive.

**MINUTES**

Chairman Yeager called for consideration of the minutes of the April 27, 2011 meeting.

**MOTION:** Commissioner Armstrong made a motion to approve the minutes of the April, 2011 meeting as received. Commissioner Selzler seconded the motion and it was unanimously approved with Commissioners Armstrong, Atkinson, Bullinger, Juhala, Laning, Selzler, Warford and Yeager voting in favor of the motion.

**CONSIDERATIONS –**

**ZONING CHANGE FROM RM15 & R10 TO R10 – EDGEWOOD VILLAGE FIFTH ADDITION**

**ZONING CHANGE FROM R5 & RT TO P – PART OF THE SE¼ OF SECTION 30, T139N-R80W/HAY CREEK TOWNSHIP**

Chairman Yeager called for consideration of the following consent agenda items:

- A. A zoning change from the RM15-Residential and R10-Residential zoning districts to the R10-Residential zoning district for Edgewood Village Fifth Addition. The property is 19 lots in 1 block on 6.25 acres, located in northeast Bismarck, north of Century Avenue, between Colorado Drive and Nebraska Drive (a replat of Lots 11, 18, 65 and part of Lot 64, Block 1, Edgewood Village Second Addition, in part of the W½ of Section 23, T139N-R80W/Hay Creek Township).
- B. A zoning change from the R5-Residential and the RT-Residential zoning districts to the P-Public zoning district for part of the SE¼ of Section 30, T139N-R80W/Hay Creek Township. The property is located In northwest Bismarck on the campus of Bismarck

State College, along the south side of Canary Avenue approximately 200-feet west of Schafer Street (an unplatted portion in SE¼ of Section 30, T139N-R80W/Hay Creek Township).

**MOTION:** Based on the findings in the staff reports, Commissioner Laning made a motion to approve Consent Agenda items A and B, calling for a public hearing on all items. Commissioner Juhala seconded the motion and it was unanimously approved with Commissioners Armstrong, Atkinson, Bullinger, Juhala, Laning, Selzler, Warford and Yeager voting in favor of the motion.

**FINAL CONSIDERATION – ANNEXATION – LOTS 10-12, BLOCK 1; LOTS 11-18, BLOCK 4; LOTS 1-7, BLOCK 5 AND LOTS 1-4, BLOCK 6, HORIZON HEIGHTS ADDITION**

Chairman Yeager called for the final consideration for the annexation for Lots 10-12, Block 1; Lots 11-18, Block 4; Lots 1-7, Block 5 and Lots 1-4, Block 6, Horizon Heights Fifth Addition. The property is located in northwest north of Medora Avenue, northwest of Horizon Middle School (part of Section 17 T139N-R80W/Hay Creek Township).

Mr. Tomanek provided an overview of the request and listed the following findings for the annexation:

1. The City and other agencies would be able to provide necessary public services, facilities and programs to serve the development allowed by the annexation at the time the property is developed.
2. The proposed annexation would not adversely affect property in the vicinity.
3. The proposed annexation is consistent with the general intent and purpose of Title 14 of the City Code of Ordinances.
4. The proposed annexation is consistent with the master plan, other adopted plans, policies and planning practice.

Mr. Tomanek said based on the above findings, staff recommends annexation of a portion of Horizon Heights Fifth Addition (Lots 10-12, Block 1; Lots 11-18, Block 4; Lots 1-7, Block 5 and Lots 1-4, Block 6).

**MOTION:** Commissioner Selzler made a motion to approve the annexation of a portion of Horizon Heights Fifth Addition (Lots 10-12, Block 1; Lots 11-18, Block 4; Lots 1-7, Block 5 and Lots 1-4, Block 6). Commissioner Atkinson seconded the motion and it was unanimously approved with Commissioners Armstrong, Atkinson, Bullinger, Juhala, Laning, Selzler, Warford and Yeager voting in favor of the motion.

**PUBLIC HEARING – LOT 1, BLOCK 1, MEADOW LARK HILL 2<sup>ND</sup> ADDITON  
REPLAT AND CONTINUED PUBLIC HEARING – MINOR SUBDIVISION FINAL  
PLAT – MEADOW LARK HILL 2<sup>ND</sup> ADDITION REPLAT**

Chairman Yeager called for the public hearing for the zoning change from the RT-Residential zoning district to the CG-Commercial zoning district for Lot 1, Block 1 and the continued public hearing for the minor subdivision final plat for Meadow Lark Hill 2<sup>nd</sup> Addition Replat. The property is located along Schafer Street west of the intersection with Divide Avenue (a replat of Lot 1, Block 1, Meadow Lark Hill Second). The proposed subdivision will create two lots from one lot and will utilize the existing access on Schafer Street.

Mr. Greenquist provided an overview of the request and listed the following findings for the zoning change:

1. The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include the existing office building to the southwest, a bar/restaurant to the southeast, and a grocery store to the east.
2. The property is already annexed; therefore the proposed zoning change would not place an undue burden on public services.
3. The proposed zoning change would not adversely affect property in the vicinity.
4. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance.
5. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.

Mr. Greenquist said based on the above findings, staff recommends approval of the zoning change from the RT-Residential zoning district to the CG-Commercial zoning district for Lot 1 of Block 1, Meadow Lark Hill Second Addition Replat.

Mr. Greenquist stated the purpose of this minor plat is to subdivide an existing one-lot subdivision into two lots. One lot, the current site of the Dakota Collectibles building, would be 4.4 acres and the new lot would be 1.8 acres. He continued by saying the zoning change would allow a motel to be built. Mr. Greenquist said that under additional information, there are two issues, the parking and the right-of-way. The parking issue can be resolved by a suitable parking agreement with Dakota Collectibles. Mr. Greenquist went on to say that the other issue is on the right-of-way question that Commissioner Armstrong had asked at the last Bismarck Planning & Zoning Commission meeting. Mr. Greenquist stated that he obtained responses from the City Traffic Engineer, the Department of Transportation District Engineer and the Metropolitan Planning Organization in conjunction with the Local Government Division of the Department of Transportation. He went on to say that the only place that additional right-of-way may be needed could be along Schafer Street, but the Department of Transportation study will not be completed for about a year. Mr. Greenquist concluded by saying there will likely be improvements to the current eastbound exit, which is on the opposite side of Divide Avenue from this site.



Commissioner Bullinger asked if the existing common driveway will be shared. Mr. Greenquist answered that the proposed access points would be included in the site plan and will be addressed at that time.

Commissioner Armstrong said he appreciates staffs research but still sees some issues with right-of-way.

Chairman Yeager opened the public hearing for the minor subdivision final plat for Meadow Lark Hill 2<sup>nd</sup> Addition Replat.

There was no public comment.

Chairman Yeager closed the public hearing.

**MOTION:** Based on the findings contained in the staff reports, Commissioner Laning made a motion to approve the zoning change from the RT-Residential zoning district to the CG-Commercial zoning district for Lot 1, Block 1 and the minor subdivision final plat for Meadow Lark Hill 2<sup>nd</sup> Addition Replat. Commissioner Selzler seconded the motion with Commissioners Atkinson, Bullinger, Juhala, Laning, Selzler, Warford and Yeager voting in favor and Commissioner Armstrong voting against. The motion passed 7-1.

## **OTHER BUSINESS**

### **BISMARCK PLANNING & ZONING COMMISSION VACANCIES**

Mr. Hokenstad announced that there are two vacancies on the Bismarck Planning & Zoning Commission and that the Community Development Department will accept applications until June 3, 2011. He added that one position is a full five year term and the other position is for the remaining time of an existing five year term. Mr. Hokenstad concluded by saying the only condition for both positions is that the applicant must be a city resident.

## **ADJOURNMENT**

There being no further business Chairman Yeager declared the Bismarck Planning & Zoning Commission adjourned at 5:22 p.m. to meet again on June 22, 2011.

Respectfully submitted,

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Kimberley Gaffrey  
Recording Secretary

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Wayne Yeager  
Chairman

**Major Permit Activity  
May 2011**

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Non-deeded Owner:	Franklin Avenue Shop Condos
Address:	3422 Franklin Avenue
Cost:	\$347,802.00
Description:	55' x 175' single story building for 5-unit shop condo

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Non-deeded Owner:	UND Family Medicine
Address:	701 East Rosser Avenue
Cost:	\$1,843,431.00
Description:	1st and 2nd floor shelly only

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Non-deeded Owner:	UND Family Medicine
Address:	701 East Rosser Avenue
Cost:	\$1,843,431.00
Description:	3rd and 4th floor shell only

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DATE SELECTION 5/2011

Permit Type	***** City *****		***** ETA *****		***** County *****							
	5/2011	5/2010	5/2011	5/2010	5/2011	5/2010						
	Permits	Valuation	Permits	Valuation	Permits	Valuation						
SINGLE FAMILY DETACHED	23	4,332,163.00	35	6,451,481.00	8	1,732,158.00	7	1,404,519.00	3	427,627.00	3	596,494.00
SINGLE FAMILY ATTACHED	6	970,753.00	2	333,362.00	0	.00	0	.00	0	.00	0	.00
TWO UNIT	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
THREE & FOUR FAMILY	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
FIVE & MORE FAMILY	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
CONDO/TOWNHOUSE-1 HR.WALL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MANUFACTURED HOMES	3	.00	3	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME WITHOUT EXTRA	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME WITH EXTRAS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME MISCELLANEOUS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
HOTELS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOTELS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
GROUP QUARTERS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
NON-STRUCTURAL DEVELOPMEN	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
AMUSEMENT & RECREATION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
CHURCHES AND RELIGIOUS	0	.00	1	120,000.00	0	.00	0	.00	0	.00	0	.00
INDUSTRIAL	0	.00	0	.00	1	184,000.00	1	56,000.00	0	.00	0	.00
RESEARCH & DEVELOPMENT	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
AUTO SERVICE AND REPAIR	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
HOSPITALS & INSTITUTIONAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OFFICE, BANK & PROFESSION	1	197,250.00	1	16,931,543.00	0	.00	0	.00	0	.00	0	.00
SCHOOLS AND EDUCATIONAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
COMM (RETAIL SALES)	1	53,308.00	0	.00	0	.00	0	.00	0	.00	0	.00
OTHER (PUBLIC PARKING GAR	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OTHER STRUCTURES	0	.00	1	40,000.00	0	.00	0	.00	0	.00	0	.00
PUBLIC BUILDING	0	.00	3	159,057.00	0	.00	0	.00	1	11,342.00	0	.00
ROOM ADDITIONS	5	93,528.00	4	61,173.00	2	68,366.00	2	222,260.00	0	.00	1	82,680.00
RESIDENTIAL GARAGES	13	131,156.00	14	113,740.00	8	164,064.00	7	117,744.00	0	.00	2	132,544.00
PATIOS AND COVERS	22	74,515.00	24	75,120.00	5	68,725.00	2	10,110.00	0	.00	1	4,800.00
SWIMMING POOLS AND SPAS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OTHER	13	137,030.00	24	117,911.00	2	29,963.00	1	10,752.00	1	4,172.00	0	.00
HOME OCCUPATIONS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
STORAGE SHEDS	7	11,800.00	15	26,132.00	3	18,433.00	0	.00	0	.00	0	.00
BASEMENT FINISH	12	51,300.00	13	49,007.00	7	38,912.00	4	19,236.00	0	.00	0	.00
INDUSTRIAL BUILDINGS	7	826,504.00	2	458,900.00	0	.00	0	.00	0	.00	0	.00
COMMERCIAL BUILDINGS	2	63,000.00	4	1,647,865.00	0	.00	0	.00	0	.00	0	.00

DATE SELECTION 5/2011												
Permit Type	***** City *****				***** ETA *****				***** County *****			
	5/2011	Valuation	5/2010	Valuation	5/2011	Valuation	5/2010	Valuation	5/2011	Valuation	5/2010	Valuation
OFFICE & PROFESSIONAL BLD	3	3,740,062.00	6	301,992.00	0	.00	0	.00	0	.00	0	.00
OTHER	2	433,770.00	1	949,000.00	0	.00	0	.00	0	.00	0	.00
ALTER PUBLIC	0	.00	3	24,700.00	0	.00	0	.00	0	.00	0	.00
APTS TO CONDO	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
TO/FROM RESIDENTIAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
RESIDENTIAL	0	.00	1	.00	0	.00	0	.00	0	.00	0	.00
OTHER	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
CHRISTMAS TREE SALES	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
FIREWORKS SALES	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
NURSERY STOCK SALES	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
TEMPORARY STRUCTURE PERMI	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
CIRCUS/CARNIVAL	2	50.00	1	.00	0	.00	0	.00	0	.00	0	.00
MOVE OUT OF PMT LOCATION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOVE INTO PERMIT LOCATION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOVE WITHIN PMT LOCATION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
NEW SIGN PERMIT	3	10,226.00	4	38,847.00	0	.00	0	.00	0	.00	0	.00
SIGN ALTERATION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
ELECTRONIC MESSAGE CENTER	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
Permit Type Total	126	11,126,415.00	162	27,899,830.00	36	2,304,621.00	24	1,840,621.00	5	443,141.00	7	816,518.00

DATE SELECTION 5/2011

Permit Type	***** City *****		***** ETA *****		***** County *****	
	5/2011 Permits	5/2010 Permits	5/2011 Permits	5/2010 Permits	5/2011 Permits	5/2010 Permits
Plumbing	55	45	12	12	0	2
Electrical	73	83	0	0	0	0
Mechanical	69	73	11	12	1	1
Drain Field	0	0	13	7	0	2
Hood Suppression	2	0	0	0	0	0
SprinklerStandpipe	1	2	0	0	0	0
Alarm Detection	3	0	0	0	0	0
Total	203	203	36	31	1	5

DATE SELECTION 5/2011

	***** City *****		***** ETA *****		***** County *****	
	5/2011	5/2010	5/2011	5/2010	5/2011	5/2010
Living Units	Units	Units	Units	Units	Units	Units
SINGLE FAMILY DETACHED	23	35	8	7	3	3
SINGLE FAMILY ATTACHED	6	2	0	0	0	0
MANUFACTURED HOMES	0	1	0	0	0	0
ROOM ADDITIONS	0	0	0	1	0	1
PATIOS AND COVERS	1	0	0	0	0	0
STORAGE SHEDS	0	1	0	0	0	0
BASEMENT FINISH	0	1	0	0	0	0
INDUSTRIAL BUILDINGS	1	0	0	0	0	0
Total	31	40	8	8	3	4

PERMIT LOCATION	PERMIT NUMBER	DATE SELECTION 05/2011			OWNERS NAME CONTRACTOR	VALUATION
		PROPERTY ADDRESS				
CITY OF BISMARCK	2011-0000480	701 E	ROSSER	AV	UND FAMILY MEDICINE NORTHWEST CONTRACTING INC	1,843,431.00
CITY OF BISMARCK	2011-0000482	701 E	ROSSER	AV	UND FAMILY MEDICINE NORTHWEST CONTRACTING INC	1,843,431.00

DATE SELECTION 5/2011

Permit Type	***** City *****				***** ETA *****				***** County *****			
	5/2011		5/2010		5/2011		5/2010		5/2011		5/2010	
	Permits	Valuation	Permits	Valuation	Permits	Valuation	Permits	Valuation	Permits	Valuation	Permits	Valuation
SINGLE FAMILY DETACHED	81	14,480,074.00	85	14,837,135.00	51	9,069,371.00	42	7,454,562.00	6	1,089,656.00	5	959,609.00
SINGLE FAMILY ATTACHED	12	1,826,055.00	35	5,507,785.00	0	.00	0	.00	0	.00	0	.00
TWO UNIT	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
THREE & FOUR FAMILY	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
FIVE & MORE FAMILY	0	.00	1	950,000.00	0	.00	0	.00	0	.00	0	.00
CONDO/TOWNHOUSE-1 HR.WALL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MANUFACTURED HOMES	7	2,520.00	6	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME WITHOUT EXTRA	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME WITH EXTRAS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME MISCELLANEOUS	0	.00	1	31,516.00	0	.00	0	.00	0	.00	0	.00
HOTELS	0	.00	1	4,362,000.00	0	.00	0	.00	0	.00	0	.00
MOTELS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
GROUP QUARTERS	0	.00	2	144,700.00	0	.00	0	.00	0	.00	0	.00
NON-STRUCTURAL DEVELOPMEN	0	.00	2	4,380,824.00	0	.00	0	.00	0	.00	0	.00
AMUSEMENT & RECREATION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
CHURCHES AND RELIGIOUS	0	.00	1	120,000.00	0	.00	0	.00	0	.00	0	.00
INDUSTRIAL	0	.00	3	2,975,717.00	1	184,000.00	1	56,000.00	0	.00	0	.00
RESEARCH & DEVELOPMENT	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
AUTO SERVICE AND REPAIR	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
HOSPITALS & INSTITUTIONAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OFFICE, BANK & PROFESSION	2	217,250.00	3	17,588,757.00	0	.00	0	.00	0	.00	0	.00
SCHOOLS AND EDUCATIONAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
COMM (RETAIL SALES)	1	53,308.00	1	189,256.00	0	.00	0	.00	0	.00	0	.00
OTHER (PUBLIC PARKING GAR	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OTHER STRUCTURES	2	1,300,000.00	2	125,114.00	0	.00	0	.00	0	.00	0	.00
PUBLIC BUILDING	5	45,046,164.00	4	163,557.00	0	.00	0	.00	1	11,342.00	0	.00
ROOM ADDITIONS	9	164,508.00	8	138,117.00	4	104,300.00	6	607,263.00	1	21,306.00	2	97,680.00
RESIDENTIAL GARAGES	21	204,284.00	32	289,278.00	20	422,080.00	22	348,200.00	4	156,660.00	13	412,584.00
PATIOS AND COVERS	33	99,943.00	48	145,285.00	7	76,165.00	3	16,110.00	0	.00	1	4,800.00
SWIMMING POOLS AND SPAS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OTHER	36	418,880.00	71	1,117,865.00	6	187,108.00	6	108,952.00	1	4,172.00	3	11,500.00
HOME OCCUPATIONS	1	.00	3	.00	1	.00	0	.00	0	.00	0	.00
STORAGE SHEDS	11	18,012.00	37	65,914.00	3	18,433.00	4	10,164.00	0	.00	0	.00
BASEMENT FINISH	86	427,574.00	64	288,878.00	21	122,220.00	24	118,759.00	0	.00	2	12,650.00
INDUSTRIAL BUILDINGS	10	939,304.00	9	1,022,581.00	0	.00	0	.00	0	.00	0	.00
COMMERCIAL BUILDINGS	21	3,118,723.00	14	1,952,393.00	1	84,100.00	1	988,684.00	0	.00	0	.00



DATE SELECTION 5/2011

Permit Type	***** City *****		***** ETA *****		***** County *****	
	5/2011 Permits	Valuation	5/2010 Permits	Valuation	5/2011 Permits	Valuation
OFFICE & PROFESSIONAL BLD	15	6,212,674.00	34	2,996,044.00	0	.00
OTHER	4	1,376,827.00	4	1,345,803.00	0	.00
ALTER PUBLIC	5	2,330,729.00	6	464,700.00	0	.00
APTS TO CONDO	0	.00	0	.00	0	.00
TO/FROM RESIDENTIAL	0	.00	0	.00	0	.00
RESIDENTIAL	2	.00	11	.00	0	.00
OTHER	6	.00	4	.00	0	.00
CHRISTMAS TREE SALES	0	.00	0	.00	0	.00
FIREWORKS SALES	0	.00	0	.00	0	.00
NURSERY STOCK SALES	3	.00	3	.00	0	.00
TEMPORARY STRUCTURE PERMI	0	.00	0	.00	0	.00
CIRCUS/CARNIVAL	2	50.00	1	.00	0	.00
MOVE OUT OF PMT LOCATION	0	.00	1	.00	0	.00
MOVE INTO PERMIT LOCATION	0	.00	0	.00	0	.00
MOVE WITHIN PMT LOCATION	0	.00	0	.00	0	.00
NEW SIGN PERMIT	29	371,549.00	17	109,909.00	0	.00
SIGN ALTERATION	0	.00	0	.00	0	.00
ELECTRONIC MESSAGE CENTER	0	.00	0	.00	0	.00
	405	78,608,428.00	514	61,313,128.00	115	10,267,777.00
					110	9,710,639.00
					13	1,283,136.00
					26	1,498,823.00

DATE SELECTION 5/2011

Permit Type	***** City *****		***** ETA *****		***** County *****	
	5/2011 Permits	5/2010 Permits	5/2011 Permits	5/2010 Permits	5/2011 Permits	5/2010 Permits
Plumbing	144	144	32	30	0	3
Electrical	405	351	0	0	0	0
Mechanical	464	388	69	62	3	10
Drain Field	0	0	13	7	0	2
Hood Suppression	2	0	0	0	0	0
SprinklerStandpipe	1	2	0	0	0	0
Alarm Detection	3	0	0	0	0	0
Total	1038	900	122	111	4	15

## DATE SELECTION 5/2011

	***** City *****		***** ETA *****		***** County *****	
Living Units	Units 5/2011	Units 5/2010	Units 5/2011	Units 5/2010	Units 5/2011	Units 5/2010
SINGLE FAMILY DETACHED	80	85	51	42	6	5
SINGLE FAMILY ATTACHED	12	35	0	0	0	0
FIVE & MORE FAMILY	0	9	0	0	0	0
MANUFACTURED HOMES	1	1	0	0	0	0
GROUP QUARTERS	0	2	0	0	0	0
ROOM ADDITIONS	0	0	0	1	0	1
RESIDENTIAL GARAGES	0	1	0	1	0	1
PATIOS AND COVERS	1	0	0	0	0	0
OTHER	0	3	0	0	0	0
STORAGE SHEDS	0	2	0	0	0	0
BASEMENT FINISH	5	5	0	1	0	0
INDUSTRIAL BUILDINGS	1	0	0	0	0	0
RESIDENTIAL	1	0	0	0	0	0
Total	101	143	51	45	6	7